

ALIEN EDUCATION ASSISTANCE ACT

HEARING
BEFORE THE
SUBCOMMITTEE ON
EDUCATION, ARTS AND HUMANITIES
OF THE
COMMITTEE ON
LABOR AND HUMAN RESOURCES
UNITED STATES SENATE
NINETY-EIGHTH CONGRESS

FIRST SESSION

ON

S. 1630

TO PROVIDE GENERAL ASSISTANCE TO LOCAL EDUCATIONAL AGEN-
CIES FOR THE PROVISION OF EDUCATIONAL SERVICES TO ALIEN
CHILDREN, AND FOR OTHER PURPOSES

JULY 25, 1983



Printed for the use of the Committee on Labor and Human Resources

U.S. GOVERNMENT PRINTING OFFICE

24-138 O

WASHINGTON : 1983

554134

COMMITTEE ON LABOR AND HUMAN RESOURCES

ORRIN G. HATCH, Utah, *Chairman*

ROBERT T. STAFFORD, Vermont

DAN QUAYLE, Indiana

DON NICKLES, Oklahoma

GORDON J. HUMPHREY, New Hampshire

JEREMIAH DENTON, Alabama

LOWELL P. WEICKER, Jr., Connecticut

CHARLES E. GRASSLEY, Iowa

JOHN P. EAST, North Carolina

PAULA HAWKINS, Florida

EDWARD M. KENNEDY, Massachusetts

JENNINGS RANDOLPH, West Virginia

CLAIBORNE PELL, Rhode Island

THOMAS F. EAGLETON, Missouri

DONALD W. RIEGLE, Jr., Michigan

HOWARD M. METZENBAUM, Ohio

SPARK M. MATSUNAGA, Hawaii

CHRISTOPHER J. DODD, Connecticut

RONALD F. DOCKSAI, *Staff Director*

KATHRYN O'L. HIGGINS, *Minority Staff Director*

SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES

ROBERT T. STAFFORD, Vermont, *Chairman*

ORRIN G. HATCH, Utah

DAN QUAYLE, Indiana

JEREMIAH DENTON, Alabama

LOWELL P. WEICKER, Jr., Connecticut

JOHN P. EAST, North Carolina

CLAIBORNE PELL, Rhode Island

EDWARD M. KENNEDY, Massachusetts

JENNINGS RANDOLPH, West Virginia

THOMAS F. EAGLETON, Missouri

CHRISTOPHER J. DODD, Connecticut

POLLY GAULT, *Professional Staff Member*

DAVID V. EVANS, *Minority Professional Staff Member*

CONTENTS

CHRONOLOGICAL LIST OF WITNESSES

MONDAY, JULY 25, 1983

	Page
Cabaniss, Verlene, director of special programs, Texas Education Agency, Austin, Tex.; and Patrick H. O'Neill, president, Biscayne College, Miami, Fla., a panel.....	3
Tower, Hon. John, a U.S. Senator from the State of Texas	16
O'Neill, Rev. Patrick H., president, Biscayne College, Miami, Fla	19
Armijo, Phyllis, president, board of trustees, Ysleta Independent School District, El Paso, Tex.; and Bebe Zuniga, vice president, Laredo Independent School District, Laredo, Tex., a panel	25
McDonald, Arturo, assistant superintendent, Brownsville Independent School District, Brownsville, Tex.; and Paul W. Bell, associate superintendent, Bureau of Education, Dade County Public Schools, Miami, Fla., a panel	50

STATEMENTS

Armijo, Phyllis, president, board of trustees, Ysleta Independent School District, El Paso, Tex.; and Bebe Zuniga, vice president, Laredo Independent School District, Laredo, Tex., a panel	25
Prepared statement	28
Bell, Paul W., associate superintendent, Bureau of Education, Dade County Public Schools, prepared statement.....	57
Besteiro, Rual A., Jr., superintendent of schools, Brownsville Independent School District, prepared statement.....	52
Cabaniss, Verlene, director of special programs, Texas Education Agency, Austin, Tex.; and Patrick H. O'Neill, president, Biscayne College, Miami, Fla., a panel.....	3
Prepared statement	6
Carpenter, Paul B., senator, California Legislature, prepared statement	72
McDonald, Arturo, assistant superintendent, Brownsville Independent School District, Brownsville, Tex.; and Paul W. Bell, associate superintendent, Bureau of Education, Dade County Public Schools, Miami, Fla., a panel	50
O'Neill, Rev. Patrick H., president, Biscayne College, Miami, Fla	19
Prepared statement	21
Tower, Hon. John, a U.S. Senator from the State of Texas	16
Zuniga, Bebe, vice president, Laredo Independent School District, prepared statement.....	43

ALIEN EDUCATION ASSISTANCE ACT

MONDAY, JULY 25, 1983

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION, ARTS, AND HUMANITIES
OF THE COMMITTEE ON LABOR AND HUMAN RESOURCES,
Washington, D.C.

The subcommittee met, pursuant to notice, at 2:07 p.m., in room SD-430, Dirksen Senate Office Building, Senator Robert T. Stafford (chairman of the subcommittee) presiding.

Present: Senators Stafford and Pell.

Also present: Senator Tower

OPENING STATEMENT OF SENATOR STAFFORD

Senator STAFFORD. The Subcommittee on Education, Arts, and Humanities will please come to order.

The Chair understands that Senator Tower, who we had proposed to be the leadoff witness, is still in the Senate since he is manager of the Department of Defense authorization bill which is pending over there. But he will be here as soon as Senator Warner can relieve him of managerial duties.

But we want this meeting to get started and so I am going to begin. Today, we are considering S. 1630, the Alien Education Assistance Act. This was introduced recently by my distinguished colleague and friend, Senator Tower. This legislation would provide educational assistance to States and localities with school districts enrolling students who have not legally immigrated to the United States.

This bill authorizes the Secretary of Education to provide assistance to State educational agencies in States impacted with illegal aliens. The State educational agencies, in turn, funnel Federal assistance to local school districts in order to assist in meeting educational needs of immigrant children.

Construction of the necessary facilities to accommodate the influx of alien children is permitted under this bill. As this Senator understands the legislation, the States and then the local educational agencies could receive as much as the State average per pupil expenditure, or \$1,000 per pupil, whichever is less.

I also understand that Senator Tower has introduced, or will soon introduce, an amendment to this bill which would require a threshold of 500 students or 5 percent student enrollment before assistance is awarded.

The witnesses testifying here today are directly involved in addressing the fiscal and other demands that the education of alien children places on teachers, on schools, and on States.

Today, the subcommittee is interested in evaluating the extent of this burden and the special needs that accompany the education of immigrant children. We are also interested in examining how our various levels of government—local, State, and national—have been able to respond to the need to offer educational services to alien children.

Finally, the subcommittee wishes to elicit comments on the specific provisions of S. 1630.

Much has recently been said about the quality of education in our schools. Just last Thursday, this subcommittee convened to hear teachers, administrators, school board members, and parents discuss the provision of quality education and the Federal role in promoting excellence.

This Senator is mindful that the task of many of the witnesses here is to provide even the most basic of educational services to immigrant children.

As chairman of the Subcommittee on Education, my basic philosophy is that the Federal Government should maintain significant responsibility for assisting those students in our society—the poor, the handicapped, the disadvantaged—who, in the past, did not have the opportunity to participate fully in our educational system.

Yet, just as States and localities now contribute in some part to providing educational services to those who will face obstacles to educational access, so must our response to the education of alien children be broadbased.

It is my hope that today's witnesses could address the issue of the Federal Government's role in assisting in the education of aliens. You are the people that face the day-to-day challenge of providing these services and I look forward to hearing your comments.

Now, it is the Chair's intent, although we may interrupt the panel when Senator Tower arrives, to ask the first panel to come forward: Dr. Verlene Cabaniss, director of special programs, Texas Education Agency, of Austin, Tex.; and Father Pat O'Neill, president, Biscayne College, Miami, Fla.

Dr. Cabaniss, if I mispronounced your name, I apologize.

Dr. CABANISS. That is quite all right. Thank you.

Senator STAFFORD. I warn you that those microphones are weak and you will have to get them very close and speak directly in them or our guests will not be able to hear what you are saying and neither will I.

Dr. CABANISS. All right.

Senator STAFFORD. I know you have been warned that time constraints force us, as usual, to ask you to deliver your testimony in 5 minutes to the committee. You can see the traffic control system that somebody devised for us that goes red, yellow and green in front of you. You will get the yellow in 4 minutes and the red in 5.

Your full statements, and I say this to you and to all of the witnesses in the room, will be inserted in the record as if read. So, Dr. Cabaniss, would you care to go first?

STATEMENT OF VERLENE CABANISS, DIRECTOR OF SPECIAL PROGRAMS, TEXAS EDUCATION AGENCY, AUSTIN, TEX., AND PATRICK H. O'NEILL, PRESIDENT, BISCAYNE COLLEGE, MIAMI, FLA., A PANEL

Dr. CABANISS. Thank you. I am Verlene Cabaniss, director of special programs of the Texas Education Agency. Both Commissioner Bynum and Dr. Kirby wanted to be here today, but other pressing matters prevented their leaving the State at this time.

I am privileged to have this opportunity to appear before you concerning the bill, S. 1630, the Alien Education Assistance Act. I recognize that this bill provides assistance for all alien children, not just undocumented aliens. However, my remarks will deal primarily with the problems created by large numbers of children of undocumented aliens.

S. 1630 is aimed at a population that has been essentially overlooked by the Congress as a Federal concern, but the Supreme Court has not failed to recognize both the need of these children for an adequate education, as well as a clear Federal responsibility in providing some of that education.

The Court, on June 15, 1982, in *Plyler v. Doe* and *Texas v. Certain Named and Unnamed Alien Children*, held unconstitutional on a 4-to-5 vote certain sections of the Texas Education Code.

The Court ruled that the limitation of State funds and free admission to the public schools to only citizens and legally admitted aliens violated the equal protection clause of the 14th amendment.

Chief Justice Burger dissented to the decision and was joined by Justices White, Rehnquist, and O'Connor in stating that, "It does not follow, however, that a State should bear the costs of educating children whose illegal presence in this country results from the default of the political branches of the Federal Government. A State has no power to prevent unlawful immigration, and no power to deport illegal aliens. Those powers are reserved exclusively to Congress and the executive. If the Federal Government, properly chargeable with deporting illegal aliens, fails to do so, it should bear the burden of their presence here. Surely, if illegal alien children can be identified for purposes of this litigation, their parents can be identified for prompt deportation."

It should also be noted that in the concurring opinion, Justice Powell expressed sympathy for the exasperation which the citizens and governing authorities in Texas must feel over this issue.

In fact, he stated that,

Their responsibility, if any, for the influx of aliens is slight compared to that imposed by the Constitution on the Federal Government. So long as the ease of entry remains inviting and the power to deport is exercised infrequently by the Federal Government, the additional expense of admitting these children to public schools might fairly be shared by the Federal Government and State governments.

When one adds Justice Powell's comment to those of the dissenting Justices, it certainly appears that the majority of the Court has indicated that the expense of educating these children should be borne, at least in part, by the Federal Government.

There has recently been a downturn in the Texas economy. The State comptroller of public accounts estimated a \$5 billion surplus for the next biennium, but decreased it to \$2 billion during the

recent legislative session due to a significant drop in oil and gas revenues and sales tax collection.

Even though 40 percent of that \$2 billion of increased spending is designated for education, the almost \$900 million additional will scarcely cover step salary increases due to longevity and the added cost of an expanding population.

In fact, the legislature was unable to give beginning teachers any salary increases whatsoever, and many districts will be receiving fewer dollars in the 1983-84 school year than last.

Even though the legislature was unable to provide the dollars for any improvement in education during the next biennium, education still receives approximately 40 percent of the entire State budget.

Public education is the biggest business in Texas because we believe our children are our most important natural resource. And since 1980 and the district court order to admit children of undocumented aliens, we have been spending significant amounts of State and local resources in the education of these children.

Based upon a September 1982 survey of all Texas districts, our best estimate of the number of children of undocumented aliens in Texas schools in 1982-83 is 29,170. Calculations indicate that an average of \$2,600 per child was spent on each of the almost 3 million Texas schoolchildren during the year just completed.

While alien children most often require special program assistance that causes their educational cost to be above the average, quick arithmetic indicates that 29,170 at \$2,600 each is \$75.8 million per year that someone has to pay.

Also, it is quite likely that the annual growth in the number of alien children will be between 5,000 and 8,000. You can see that such rapidly escalating costs for the education of the undocumented may soon begin to adversely affect the quality of education offered to other children.

Although the present 29,170 students may not appear to be a significant number when you consider that there are almost 3 million students in Texas public schools, the large concentration of alien students in a few districts often causes an unequal burden.

It is certainly the State's intent that every child in this State be educated. Education, constitutionally, is a State responsibility and a local function. However, the Federal Government, by policy enactment, has taken upon itself the role of assisting State and local government with the education of certain special target populations.

Senator Tower's bill would provide direct Federal aid to the border schools and other areas most severely impacted by the current influx of alien children. It is difficult to understand why the Federal Government has seen fit to provide funds in Texas and throughout the Nation to address the needs of other disadvantaged populations, including the immigrants from Asia, Cuba, and Haiti—

Senator STAFFORD. Dr. Cabaniss, could you conclude here?

Dr. CABANISS. Yes.

Senator STAFFORD. Take a minute to finish your thought if you wish.

Dr. CABANISS. Pardon?

Senator STAFFORD. Take a minute to finish your thought.

Dr. CABANISS. I was just on the last sentence. Thank you.

Senator STAFFORD. All right.

Dr. CABANISS. It has continued to ignore the problems associated with immigration from Mexico and Central and South America.

Mr. Chairman, I will be happy to respond to any questions you or committee members may have.

[The prepared statement of Dr. Cabaniss follows:]

PREPARED STATEMENT OF DR. VERLENE CABANISS, DIRECTOR OF SPECIAL PROGRAMS,
TEXAS EDUCATION AGENCY

CHAIRMAN STAFFORD AND MEMBERS OF THE COMMITTEE:

I AM VERLENE CABANISS, DIRECTOR OF SPECIAL PROGRAMS, DEPARTMENT OF FINANCE AND PROGRAM ADMINISTRATION, TEXAS EDUCATION AGENCY. BOTH COMMISSIONER BYNUM AND DR. KIRBY WANTED TO BE HERE TODAY BUT OTHER PRESSING MATTERS PREVENTED THEIR LEAVING THE STATE AT THIS TIME. I AM PRIVILEGED TO HAVE THIS OPPORTUNITY TO APPEAR BEFORE YOU CONCERNING THE BILL S. 1630 THE ALIEN EDUCATION ASSISTANCE ACT. I RECOGNIZE THAT THIS BILL PROVIDES ASSISTANCE FOR ALL ALIEN CHILDREN, NOT JUST UNDOCUMENTED ALIENS; HOWEVER, MY REMARKS WILL DEAL PRIMARILY WITH THE PROBLEMS CREATED BY LARGE NUMBERS OF CHILDREN OF UNDOCUMENTED ALIENS. I WANT TO STRESS TO THIS COMMITTEE THAT THIS ISSUE PERTAINS NOT JUST TO TEXAS BUT IS IMPORTANT TO ALL OUR SISTER STATES.

S. 1630 IS AIMED AT A POPULATION THAT HAS BEEN ESSENTIALLY OVERLOOKED BY THE CONGRESS AS A FEDERAL CONCERN. BUT THE SUPREME COURT HAS NOT FAILED TO RECOGNIZE BOTH THE NEED OF THESE CHILDREN FOR AN ADEQUATE EDUCATION AS WELL AS A CLEAR FEDERAL RESPONSIBILITY IN PROVIDING SOME OF THAT EDUCATION.

THE COURT ON JUNE 15, 1982, IN PLYLER V. DOE AND TEXAS V. CERTAIN NAMED AND UNNAMED ALIEN CHILDREN, HELD UNCONSTITUTIONAL ON A 5-4 VOTE CERTAIN SECTIONS OF THE TEXAS EDUCATION CODE. THE COURT RULED THAT THE LIMITATION OF STATE FUNDS AND FREE ADMISSION TO THE PUBLIC SCHOOLS TO ONLY CITIZENS AND LEGALLY ADMITTED ALIENS VIOLATED THE EQUAL PROTECTION CLAUSE OF THE FOURTEENTH AMENDMENT.

CHIEF JUSTICE BURGER DISSENTED TO THE DECISION AND WAS JOINED BY JUSTICES WHITE, REHNQUIST, AND O'CONNOR IN STATING THAT:

IT DOES NOT FOLLOW, HOWEVER, THAT A STATE SHOULD BEAR THE COSTS OF EDUCATING CHILDREN WHOSE ILLEGAL PRESENCE IN THIS COUNTRY RESULTS FROM THE DEFAULT OF THE POLITICAL BRANCHES OF THE FEDERAL GOVERNMENT. A STATE HAS NO POWER TO PREVENT UNLAWFUL IMMIGRATION, AND NO POWER TO DEPORT ILLEGAL ALIENS: THOSE POWERS ARE RESERVED EXCLUSIVELY TO CONGRESS AND THE EXECUTIVE. IF THE FEDERAL GOVERNMENT, PROPERLY CHARGEABLE WITH DEPORTING ILLEGAL ALIENS, FAILS TO DO SO, IT SHOULD BEAR THE BURDEN OF THEIR PRESENCE HERE. SURELY, IF ILLEGAL ALIEN CHILDREN CAN BE IDENTIFIED FOR PURPOSES OF THIS LITIGATION, THEIR PARENTS CAN BE IDENTIFIED FOR PROMPT DEPORTATION.

IT SHOULD ALSO BE NOTED THAT IN THE CONCURRING OPINION, JUSTICE POWELL EXPRESSED SYMPATHY FOR THE "EXASPERATION" WHICH THE CITIZENS AND GOVERNING AUTHORITIES IN TEXAS MUST FEEL OVER THIS ISSUE. IN FACT, HE STATED THAT:

THEIR RESPONSIBILITY, IF ANY, FOR THE INFLUX OF ALIENS IS SLIGHT COMPARED TO THAT IMPOSED BY THE CONSTITUTION ON THE FEDERAL GOVERNMENT. SO LONG AS THE EASE OF ENTRY REMAINS INVITING, AND THE POWER TO DEPORT IS EXERCISED INFREQUENTLY BY THE FEDERAL GOVERNMENT, THE ADDITIONAL EXPENSE OF ADMITTING THESE CHILDREN TO PUBLIC SCHOOLS MIGHT FAIRLY BE SHARED BY THE FEDERAL AND STATE GOVERNMENTS.

WHEN ONE ADDS JUSTICE POWELL'S COMMENT TO THOSE OF THE DISSENTING JUSTICES, IT CERTAINLY APPEARS THAT THE MAJORITY OF THE COURT WAS INDI-

CATED THAT THE EXPENSE OF EDUCATING THESE CHILDREN SHOULD BE BORNE, AT LEAST IN PART, BY THE FEDERAL GOVERNMENT.

THERE ARE TWO COURSES OF ACTION OPEN TO TEXAS. ONE IS THAT TEXAS CAN PURSUE ANY AVAILABLE REMEDIES THROUGH THE COURTS. THE OTHER ROUTE, OBVIOUSLY MORE PREFERABLE, WOULD BE TO PROCEED THROUGH THE POLITICAL PROCESS AND WORK WITH CONGRESS TO OBTAIN IMPACT FUNDING FOR SCHOOL DISTRICTS WHICH ARE SEVERELY AFFECTED.

THERE ARE THOSE THAT BELIEVE THAT THIS IS A "TEXAS PROBLEM" AND A TEXAS PROBLEM ONLY. IT DOES INDEED HAVE ITS INITIAL IMPACT ON TEXAS DUE TO THE LONG, VIRTUALLY OPEN BORDER WHICH PROVIDES UNDOCUMENTED ALIENS ACCESS TO THE UNITED STATES. HOWEVER, ONCE THESE INDIVIDUALS ENTER THE UNITED STATES THEY DO NOT REMAIN ALONG THE TEXAS BORDER OR EVEN WITHIN TEXAS. FOR EXAMPLE, THERE ARE ALREADY OVER 5,695 UNDOCUMENTED ALIEN STUDENTS ENROLLED IN THE HOUSTON INDEPENDENT SCHOOL DISTRICT, WHICH IS NOT ON THE MEXICAN BORDER BUT IS ACTUALLY CLOSE TO LOUISIANA. COLORADO ESTIMATES THAT THERE ARE SEVERAL THOUSAND UNDOCUMENTED CHILDREN WITHIN THEIR STATE. EMPLOYMENT OPPORTUNITIES, MOBILITY FACTORS, AND THE OPPORTUNITY FOR FREE PUBLIC EDUCATION EXIST IN ALL 50 STATES. AS THIS POPULATION INCREASES IT WILL CONTINUE TO SPREAD THROUGHOUT THE COUNTRY.

IN AUGUST 1982, COMMISSIONER BYNI MADE THE FOLLOWING REMARKS AS HE TESTIFIED BEFORE CONGRESS:

THERE ARE MANY ACROSS THE NATION WHO BELIEVE THAT TEXAS IS A WEALTHY AND PROSPEROUS STATE--WELL ABLE TO AFFORD THE NECESSARY FUNDS REQUIRED TO PROVIDE EQUAL AND FREE EDUCATIONAL OPPORTUNITY FOR THESE CHILDREN. WHILE IT IS TRUE THAT TODAY THE ECONOMY IN TEXAS IS BETTER THAN MOST AND OUR FISCAL POSITION ENVIABLE, IT IS, NONETHELESS, UNREALISTIC FOR ANYONE TO BELIEVE THAT PROSPERITY CAN CONTINUE INDEFINITELY AND GROW AT AN UNCONTROLLED RATE. AS A MATTER OF FACT, THE TEXAS ECONOMY IS FAST APPROACHING WHAT I CALL THE BRICK WALL. IN THE VERY NEAR FUTURE, DIFFICULT AND COURAGEOUS POLITICAL AND ADMINISTRATIVE DECISIONS WILL BE NECESSARY IN ORDER TO ENSURE THAT STATE SPENDING REMAINS CONTAINED WITHIN THE BOUNDARIES OF OUR ABILITY TO RAISE NECESSARY REVENUE. UNLESS WE ARE FRUGAL IN MANAGING STATE RESOURCES, WE WILL SOON FACE DIFFICULTIES IN PAYING OUR BILLS.

THE "BRICK WALL" THAT COMMISSIONER BYNUM REFERRED TO A YEAR AGO HAS BEEN REACHED. THERE HAS RECENTLY BEEN A DOWNTURN IN THE TEXAS ECONOMY. THE STATE COMPTROLLER OF PUBLIC ACCOUNTS ESTIMATED A FIVE BILLION DOLLAR SURPLUS FOR THE NEXT BIENNIUM BUT DECREASED IT TO TWO BILLION DURING THE RECENT LEGISLATIVE SESSION DUE TO A SIGNIFICANT DROP IN OIL AND GAS REVENUES AND SALES TAX COLLECTION.

EVEN THOUGH 40 PERCENT OF THAT TWO BILLION DOLLARS OF INCREASED SPENDING IS DESIGNATED FOR EDUCATION, THE ALMOST 900 MILLION ADDITIONAL DOLLARS WILL SCARCELY COVER STEP SALARY INCREASES DUE TO LONGEVITY AND THE ADDED COST OF AN EXPANDING POPULATION. IN FACT, THE LEGISLATURE WAS UNABLE TO GIVE BEGINNING TEACHERS ANY SALARY INCREASES WHATSOEVER AND MANY DISTRICTS WILL BE RECEIVING FEWER DOLLARS IN THE 1983-84 SCHOOL YEAR THAN LAST.

THE TEXAS ECONOMY IS INTERTWINED WITH THAT OF THE NATION AND REACTS TO MACROECONOMIC PRESSURE AS DOES ANY OTHER STATE. EVEN THOUGH TEXAS HAS BEEN SOMEWHAT INSULATED, IT HAS PROVEN TO BE NEITHER ISOLATED NOR RECESSION PROOF. IN FACT, A LARGE NUMBER OF PRIVATE SECTOR EMPLOYERS HAVE ALREADY LAID OFF SIGNIFICANT NUMBERS OF PEOPLE BECAUSE OF THE DOWNSWING IN THE STATE'S ECONOMY. STATEWIDE UNEMPLOYMENT IS CURRENTLY RUNNING AT SOME 8.5 PERCENT WHICH IS A CONSIDERABLE INCREASE FROM THE LESS THAN 5 PERCENT ENJOYED SLIGHTLY OVER A YEAR AGO. WHILE BRYAN COLLEGE STATION AND AUSTIN LEAD THE NATION WITH THE LOWEST UNEMPLOYMENT, LAREDO AND OTHER BORDER AREAS LEAD THE NATION WITH THE HIGHEST UNEMPLOYMENT. IN LAREDO OVER 27 PERCENT OF THE POPULATION IS UNEMPLOYED.

ONE OF THE PROBLEMS ASSOCIATED WITH HAVING AN IMAGE OF BEING A WEALTHY AND PROSPEROUS STATE WHILE BEING LOCATED IN THE SUN BELT CLIMATE IS THAT PEOPLE ALL ACROSS THE NATION ARE MOVING OUR WAY. SINCE TEXAS HAS ALWAYS BEEN HOT, THERE IS LITTLE DOUBT THAT THE ILLUSION OF A HEALTHY ECONOMY IS THE DRAWING CARD. ONE OF THE REASONS THAT THE ECONOMY IS STILL STABLE IS THAT THE TEXAS FOREFATHERS WROTE INTO THE STATE CONSTITUTION A PROHIBITION AGAINST DEFICIT SPENDING. STATE OFFICIALS ARE TRUSTEES OF THAT PROVISION BUT THAT SYSTEM IS UNDER GREAT PRESSURE DUE TO IN-MIGRATION--NOT ONLY FROM SOUTH OF THE BORDER BUT FROM THE NORTH, EAST, AND WEST.

DURING THE PAST 10 YEARS, TEXAS' POPULATION HAS GROWN BY 27 PERCENT AS COMPARED TO A NATIONAL GROWTH OF LESS THAN 11 PERCENT. THAT RATE OF GROWTH IS EXPECTED TO CONTINUE AND WILL HAVE A TREMENDOUS IMPACT ON THE TEXAS PUBLIC SCHOOLS SINCE THE MAJORITY OF THOSE MOVING TO TEXAS ARE OF

CHILDBEARING AGE. THERE ARE CURRENTLY ALMOST THREE MILLION TEXAS PUBLIC SCHOOL CHILDREN. THE TEXAS 2000 PROJECT ESTIMATES THAT THIS WILL INCREASE ANOTHER HALF MILLION BY 1990 AND ANOTHER MILLION BY THE YEAR 2000. THE EDUCATION OF THESE CHILDREN WILL COST BILLIONS OF NEW DOLLARS.

EVEN THOUGH THE LEGISLATURE WAS UNABLE TO PROVIDE THE DOLLARS FOR ANY IMPROVEMENT IN EDUCATION DURING THE NEXT BIENNIUM, EDUCATION STILL RECEIVES APPROXIMATELY 40 PERCENT OF THE ENTIRE STATE BUDGET. PUBLIC EDUCATION IS THE BIGGEST BUSINESS IN TEXAS BECAUSE WE BELIEVE OUR CHILDREN ARE OUR MOST IMPORTANT NATURAL RESOURCE. AND SINCE 1980 AND THE DISTRICT COURT ORDER TO ADMIT CHILDREN OF UNDOCUMENTED ALIENS, WE HAVE BEEN SPENDING SIGNIFICANT AMOUNTS OF STATE AND LOCAL RESOURCES IN THE EDUCATION OF THESE CHILDREN. BASED UPON A SEPTEMBER 1982 SURVEY OF ALL TEXAS DISTRICTS, OUR BEST ESTIMATE OF THE NUMBER OF CHILDREN OF UNDOCUMENTED ALIENS IN TEXAS SCHOOLS IN 1982-83 IS 29,170. OUR CALCULATIONS INDICATE THAT AN AVERAGE OF \$2,600 PER CHILD WAS SPENT ON EACH OF THE ALMOST 3 MILLION TEXAS SCHOOL CHILDREN DURING THE YEAR JUST COMPLETED. WHILE ALIEN CHILDREN MOST OFTEN REQUIRE SPECIAL PROGRAM ASSISTANCE THAT CAUSES THEIR EDUCATIONAL COSTS TO BE ABOVE THE AVERAGE, QUICK ARITHMETIC INDICATES THAT 29,170 STUDENTS AT \$2,600 EACH IS \$75.4 MILLION PER YEAR THAT SOMEONE HAS TO PAY. ALSO, IT IS QUITE LIKELY THAT THE ANNUAL GROWTH IN THE NUMBER OF ALIEN CHILDREN WILL BE BETWEEN 5,000 AND 8,000. YOU CAN SEE THAT SUCH RAPIDLY ESCALATING COSTS FOR THE EDUCATION OF THE UNDOCUMENTED MAY SOON BEGIN TO ADVERSELY AFFECT THE QUALITY OF EDUCATION OFFERED TO OTHER CHILDREN.

IN ADDITION TO THE \$2,600 PER CHILD COST, ANOTHER CRITICAL PROBLEM IN MANY SCHOOL DISTRICTS IS CLASSROOM SPACE. THE FINANCING OF SCHOOL FACILITIES IS SHOULDERED ENTIRELY BY LOCAL DISTRICTS. CONSTRUCTION DEPENDS UPON THEIR ABILITY TO PASS AND PAY FOR BOND ISSUES. WITH CONSTRUCTION COSTS AVERAGING OVER \$55 PER SQUARE FOOT AND INTEREST RATES FOR SCHOOL BONDS OFTEN EXCEEDING 10 PERCENT, THE ABILITY OF MOST COMMUNITIES TO FINANCE FACILITIES IS DECLINING. AN EXAMPLE OF THE DIFFICULTY IN PROVIDING ADEQUATE FACILITIES IS BROWNSVILLE WHERE THERE ARE TWO ELEMENTARY CAMPUSES COMPRISED COMPLETELY OF PORTABLE AND TEMPORARY BUILDINGS.

BECAUSE OF THE ECONOMIC DEPRIVATION AND LIMITED ENGLISH PROFICIENCY OF MOST ILLEGAL ALIEN CHILDREN, PROGRAMMATIC GROWTH MUST OCCUR IN THE AREAS OF BILINGUAL EDUCATION, COMPENSATORY AND REMEDIAL EDUCATION. IT IS ASSUMED THAT THE NORMAL INCIDENCE OF SPECIAL EDUCATION STUDENTS WILL ALSO OCCUR. THERE WILL BE AN INCREASED NEED FOR ADDITIONAL TEXTBOOKS BOTH IN ENGLISH AND IN SPANISH. AND WE WILL NEED MANY MORE BILINGUALLY TRAINED AND CERTIFIED TEACHERS.

ALTHOUGH THE PRESENT 29,170 STUDENTS MAY NOT APPEAR TO BE A SIGNIFICANT NUMBER WHEN YOU CONSIDER THAT THERE ARE ALMOST THREE MILLION STUDENTS IN TEXAS PUBLIC SCHOOLS, THE LARGE CONCENTRATION OF ALIEN STUDENTS IN A FEW DISTRICTS OFTEN CAUSES AN UNEQUAL BURDEN. PRIMARILY FOR CULTURAL REASONS, THE MAJORITY OF THE ALIENS SETTLE ALONG THE BORDER OR IN OUR URBAN CENTERS WHERE THERE ARE ALREADY LARGE CONCENTRATIONS OF HISPANICS.

THESE ADVERSE ECONOMIC PRESSURES CANNOT BE IGNORED. IT IS CERTAINLY THE STATE'S INTENT THAT EVERY CHILD IN THIS STATE BE EDUCATED, BUT IT DOES NOT COME FREE. WE NEED TO RECOGNIZE THE FACT THAT THERE ARE COSTS INCURRED WITH EDUCATING ANY STUDENT. THIS PROBLEM NEEDS TO BE APPROACHED IN A SOUND FISCAL MANNER TO ENSURE THAT THESE CHILDREN RECEIVE A QUALITY EDUCATION WHILE NOT DILUTING THE RESOURCES AVAILABLE FOR TEXAS CHILDREN LEGALLY IN RESIDENCE.

EDUCATION, CONSTITUTIONALLY, IS A STATE RESPONSIBILITY AND A LOCAL FUNCTION. HOWEVER, THE FEDERAL GOVERNMENT BY POLICY ENACTMENT HAS TAKEN UPON ITSELF THE ROLE OF ASSISTING STATES AND LOCAL GOVERNMENT WITH THE EDUCATION OF CERTAIN SPECIAL TARGET POPULATIONS. THIS FEDERAL AID HAS BEEN AIMED PRIMARILY AT CHILDREN WHOSE EDUCATION INCLUDES HIGH COST FACTORS SUCH AS DISADVANTAGED, HANDICAPPED, MIGRANT, OR LIMITED ENGLISH PROFICIENT STUDENTS.

FOR EXAMPLE, THE TRANSITION PROGRAM FOR REFUGEE CHILDREN OPERATED UNDER THE AUTHORITY OF PUBLIC LAW 96-212, THE REFUGEE ACT OF 1980, PROVIDES FOR THIS TYPE OF FINANCIAL ASSISTANCE TO COVER SERVICES SUCH AS TESTING, SPECIAL ENGLISH LANGUAGE INSTRUCTION, BILINGUAL EDUCATION, REMEDIAL INSTRUCTION, AND SPECIAL MATERIALS AND SUPPLIES. IN FACT, FOR THE 1982-83 SCHOOL YEAR, TEXAS RECEIVED \$1.2 MILLION FOR THESE REFUGEE CHILDREN AND IT IS ESTIMATED THAT TEXAS WILL AGAIN RECEIVE A SIMILAR AMOUNT IN 1983-84.

ANOTHER FEDERAL PROGRAM WHICH COULD HAVE PROVIDED SOME ASSISTANCE WITH THE EDUCATION OF ALIEN CHILDREN IS THE \$3 BILLION TITLE I OF THE

ELEMENTARY AND SECONDARY EDUCATION ACT NOW REFERRED TO UNDER NEW LEGISLATION AS CHAPTER I. AS A RESULT OF RECENT LITIGATION, IT HAS BEEN DETERMINED THAT 1980 CENSUS DATA WOULD BE USED IN THE ALLOCATION OF FUNDS. HOWEVER, I AM DEEPLY CONCERNED ABOUT A PROBABLE SEVERE UNDER-COUNT OF THE CHILDREN OF UNDOCUMENTED ALIENS IN THE 1980 CENSUS DATA.

AT THE TIME THE CENSUS WAS BEING CONDUCTED, A GREAT DEAL OF FEAR AND CONCERN EXISTED AS TO WHETHER OR NOT A MAJOR EFFORT WOULD BE TAKEN TO IDENTIFY AND THEN DEPORT UNDOCUMENTED WORKERS. THIS FEAR CERTAINLY MADE MANY UNDOCUMENTED ALIENS HESITANT OF RESPONDING TO THE CENSUS QUESTIONNAIRE. CONSEQUENTLY, MANY CHILDREN OF UNDOCUMENTED WORKERS WERE PROBABLY MISSED IN THE 1980 CENSUS COUNTS AND AS A RESULT, TEXAS AND ANY OTHER STATE WITH LARGE NUMBERS OF CHILDREN OF UNDOCUMENTED ALIENS WILL RECEIVE INADEQUATE FEDERAL FUNDS THROUGH EXISTING MECHANISMS TO HELP PROVIDE EDUCATIONAL ASSISTANCE TO THESE DISADVANTAGED POPULATIONS.

HOW MANY CHILDREN WERE NOT COUNTED--NOT ONLY IN TEXAS BUT IN OTHER STATES? DETERMINING EXACTLY HOW MANY CHILDREN OF UNDOCUMENTED ALIENS ARE ENROLLED IN ANY DISTRICT OR EVEN IN ANY PARTICULAR STATE PRESENTS A MAJOR DIFFICULTY. IN THE ALIEN COURT CASE, THE DISTRICT COURT ORDER APPEARED TO PRECLUDE SCHOOL DISTRICTS FROM REQUESTING SPECIAL DOCUMENTATION ON UNDOCUMENTED ALIEN CHILDREN OTHER THAN THAT REQUIRED FOR ENROLLMENT OF ANY CHILD. AGE AND RESIDENCE IS VERIFIED USUALLY THROUGH THE PRESENTATION OF A BIRTH CERTIFICATE AND SOME INDICATION OF RESIDENCE. HOWEVER, THERE IS NO NOTATION ON A BIRTH CERTIFICATE AS TO WHETHER THAT CHILD IS LEGALLY OR ILLEGALLY PRESENT WITHIN THE UNITED

STATES. IT IS NOT ONLY NECESSARY FOR THE CONGRESS TO APPROPRIATE FEDERAL FUNDS TO ASSIST IN THE EDUCATION OF THESE CHILDREN BUT ALSO TO CLEARLY INDICATE THAT STATES ARE EMPOWERED TO TAKE NECESSARY IDENTIFICATION ACTIONS IN ORDER TO PROVIDE ACCURATE ENROLLMENT DATA.

SENATOR TOWER'S BILL WOULD PROVIDE DIRECT FEDERAL AID TO THE BORDER SCHOOLS AND OTHER AREAS MOST SEVERELY IMPACTED BY THE CURRENT INFLUX OF ALIEN CHILDREN. IT IS DIFFICULT TO UNDERSTAND WHY THE FEDERAL GOVERNMENT HAS SEEN FIT TO PROVIDE FUNDS IN TEXAS AND THROUGHOUT THE NATION TO ADDRESS THE NEEDS OF OTHER DISADVANTAGED POPULATIONS INCLUDING THE IMMIGRANTS FROM ASIA, CUBA, AND HAITI--AND CONTINUES TO IGNORE THE PROBLEMS ASSOCIATED WITH IMMIGRATION FROM MEXICO AND CENTRAL AND SOUTH AMERICA. BOTH LEGAL AND ILLEGAL ALIEN CHILDREN CREATE SIGNIFICANT EDUCATIONAL BURDENS FOR SCHOOL DISTRICTS.

WE CONSIDER THIS MATTER OF EXTREME IMPORTANCE NOT JUST FOR TEXAS BUT AS A MATTER OF NATIONAL POLICY. WE WILL BE HAPPY TO WORK WITH YOU IN ANY MANNER THAT YOU DEEM BENEFICIAL IN ORDER TO OBTAIN APPROPRIATE SUPPORT TO PROVIDE THESE CHILDREN WITH AN EQUAL EDUCATION OPPORTUNITY WHILE NOT DILUTING THE EDUCATIONAL RESOURCES FOR THOSE CHILDREN LEGALLY PRESENT IN THE COUNTRY.

MR. CHAIRMAN, I WILL BE HAPPY TO RESPOND TO ANY QUESTIONS YOU OR COMMITTEE MEMBERS MAY HAVE.

Senator STAFFORD. Thank you very much.

Father O'Neill, I wonder if you would mind if we broke the order of the panel at this moment in order to allow Senator Tower to testify, since he needs to get back to the Senate where he is managing the Department of Defense authorization bill.

If you do not mind, they have been able to work the microphone system so that I think our distinguished colleague, the chairman of the Armed Services Committee, the most able Senator from Texas, and the sponsor of the legislation which we are considering, could go ahead at this point.

Senator Tower, we welcome you here and we would be very glad to hear your testimony.

**STATEMENT OF HON. JOHN TOWER, A U.S. SENATOR FROM THE
STATE OF TEXAS**

Senator TOWER. Thank you very much, Mr. Chairman. I want to apologize to the other witnesses here for barging in like this, and I apologize for being late. I could not find anybody to relieve me on the floor in the management of the defense authorization bill. Therefore, I am late and I apologize, and I want to endorse what I have already overheard in the way of testimony this afternoon.

I think it is great that we have distinguished representatives from both the States of Texas and Florida to address the need—

Senator STAFFORD. John, we are having a little trouble with the mics. Could you get that—they are so weak.

Senator TOWER. All right. I will use my chief boatswain mate's voice and do away with this thing.

These witnesses will address the need for legislation to provide for Federal assistance to those States with large concentrations of alien children in their school districts. At this point, I would like to welcome them and thank them for taking their time from busy schedules to appear before the committee and give us the benefit of their insight and expertise on the problem.

Generally, I feel strongly that educating our children should be the responsibility of State and local governments. I have always believed that teachers and administrators are in a better position to evaluate the needs of students in their individual districts than are officials issuing mandates in Washington.

However, when these same school districts are—

Senator STAFFORD. Excuse me just a minute, Senator. This committee always wants to cooperate with the press, but I think having a photographer standing right in the line of vision of the chairman and the witness is going too far.

Go ahead.

Senator TOWER. However, when these same school districts are inundated with large concentrations of alien children, whose very presence in the country is the result of policy decisions over which the States have no control, the issue then becomes, whose responsibility is the education of these children? Perhaps more properly stated, whose responsibility is it to help fund the education of these children?

The States are not responsible for the establishment or enforcement of our Nation's immigration policy and laws, and I do not be-

lieve they should bear the sole burden of expenses brought on by the Federal Government's failure of enforcement.

In this instance, therefore, I firmly believe that the costs associated with educating alien children should be borne principally by the Federal Government.

The Supreme Court's decision last year, which provided that those alien children illegally in the United States are entitled to free public education, further points out the need for the type of Federal assistance which is contained in my proposed legislation.

In the *Plyler* case, the Court suggested that the additional costs of admitting these children to public schools might fairly be shared by State and Federal Governments.

Texas will educate these children willingly, but it would be unconscionable if the Federal Government were to shirk its responsibility for a situation it has created through allowing unregulated and underregulated flows of immigrants to enter the country.

The mere numbers of undocumented alien children in my own State of Texas, though significant, do not tell the full story. Cultural and linguistic barriers augment to a significant degree the normal costs associated with standard State educational programs.

Now, while these additional costs would present a problem for wealthy school districts, the testimony you will hear today will show that the majority of illegal alien students are enrolled in our poorest districts where the property tax base used to support public education typically is below the statewide mean. Especially in these heavily affected districts, Federal assistance is essential in order to maintain a standard of quality education for all children.

The high number of documented Spanish-speaking aliens in these areas further exacerbates the problem of providing for the special education needs, such as bilingual education programs, of a large Spanish-speaking school-age population.

In order to help correct this inequity imposed on State governments, I have introduced the bill that we are discussing today to provide relief to those districts which have increased enrollments and accompanying costs due to large numbers of alien children within the school system.

Because of the dramatic increase in the number of alien children entering our schools, this bill is more critically important now than last year when I originally introduced this measure as an amendment to the 1982 Immigration Reform and Control Act.

My bill authorizes up to \$68 million a year for 3 years in direct aid to school districts in which alien children account for 500 students or 5 percent of the student body. Up to \$1,000 per alien child would be paid to the school districts which qualify for the assistance.

I recognize that due to the large numbers of alien children in our schools, my bill will not provide for full reimbursement to these districts. However, I believe it is essential that we take steps to examine this problem and find a solution which will allow our districts to fulfill their responsibilities to provide a quality education to all children.

For these reasons, I believe that my bill is an important first step in the right direction, and I would welcome the comments and suggestions of you, Mr. Chairman, and other members of the com-

mittee on this matter as we work together on what is a very critical issue.

Mr. Chairman, I have spent a great deal of time in our border cities talking to people associated with our public education endeavors in these border cities. They want to do the best job possible, but we simply do not have the tax base in these areas to provide additional funding for what is needed.

It is not just in the way of personnel, but additional construction to accommodate the numbers, so that we can conduct our schools on an orderly basis.

I might note that we are talking about an area that has been heavily impacted by the devaluation of the peso. It has had a very destructive effect on the economy of these areas. In Texas, our most endemic high unemployment is in the border towns and, of course, this has been enormously exacerbated not really so much by the recession as by the devaluation of the peso, and perhaps to a lesser extent the reduction in drilling activity as a result of the reduction in the price of crude oil.

I know in Vermont, you may rejoice at the reduction in the price of crude, but it has reduced the amount of drilling activity in my State and has had an adverse impact on our economy.

So I hope that the committee will give favorable consideration to legislation that is designed to help people that have been sorely afflicted by matters over which they have no control.

The decisions of the Federal courts, the actions of the Congress and the actions of the enforcement agencies that result in this problem are not of their own doing. It is, therefore, a Federal responsibility, just as we regard it a Federal responsibility when there are great natural disasters. This is a disaster of human proportion. So I fervently hope the committee will give favorable consideration to what we are trying to do.

Thank you, Mr. Chairman.

Senator STAFFORD. Thank you very much, Senator Tower. I can assure you that this subcommittee will take a very serious look at the legislation that you have introduced and at the statement you have made here on its behalf today.

The Chair pointed out before you got here that you were involved in managing the DOD authorization and that your responsibilities kept you there until you could be temporarily relieved. The Chair would expect that.

Senator TOWER. I will have to excuse myself, Mr. Chairman, but I would be delighted to respond to any summons or request from the committee on this matter in the future. If there are any questions that you or other members of the committee may have, or the staff may have, I would be glad to submit responses in writing.

Senator STAFFORD. Well, I thank you very much, Senator.

Senator TOWER. Thank you, Mr. Chairman.

Senator STAFFORD. Now, Father O'Neill, we would be very glad to hear from you.

STATEMENT OF REV. PATRICK H. O'NEILL, PRESIDENT, BISCAYNE COLLEGE, MIAMI, FLA.

Father O'NEILL. I first of all would like to recognize the courage and foresight of Senator Tower on this very critical issue.

Many people might wonder, what is a quickly aging college president from Miami doing addressing this question today, since it concerns primarily elementary and secondary school education.

I would like to begin briefly with a personal story. I am first generation American. My father was a first grade dropout in Ireland because in 1893-94 there was very little education available. He is probably the brightest man I know, and surely one of the wealthiest. He will be 94 years of age tomorrow.

I have often thought to myself, what if I had been raised in Northern Ireland, and what educational opportunities would be available to me. Today, three master's degrees, two doctorates, and unlimited education, hoping to complete medical school after I finish this stint as college president—the promise of lifelong education is not just a promise, but a commitment of our American way of life.

The situation in south Florida is a critical one. First of all, today we are a city, Miami, Dade County, of 27 languages. We are the emerging international city of new immigrants.

Twenty years ago, in 1963, the population of metropolitan Miami was 935,000 people. Today, 20 years later, it is just slightly under 2 million people. It is also estimated that some 500,000 Anglo-Americans have left the area in the last decade alone.

The influx and exodus has radically changed the social and cultural character of south Florida. The rate of change continues. In the last year, for example, the rate of immigrants is higher than the birth rate in south Florida.

I am 1 of nearly 1 million Catholics in the great Archdiocese of Miami, which encompasses many, many counties beyond Dade. The church is probably the forerunner in the last 20 years of responding to the needs, primarily educational needs, of new immigrants.

These Haitians, Cubans, South Americans, and Central Americans are largely Catholic, and they come to us, rightfully so, looking for not only educational opportunities, but looking for us to be their voices and their hands and their hearts in offering them the American dream.

The church has heroically responded to that effort and never looked back or looked around, but has been the primary leader in responding in the great State of Florida.

Biscayne College had its founding in Cuba as Villanova University. We exited 20 years ago with the Cubans, and so we are today in the United States recognized as the largest immigrant or minority-based population of any private college or university in the United States.

So, the question is critical for us—critical because we are preparing teachers for these primary and secondary education opportunities; critical because today, long after Federal and State dollars have been terminated for Haitian education programs and many other related educational programs, Biscayne College continues to pour in nearly \$1 million a year from private sources to continue

making good on our part concerning that American dream—the dream that was my father's. And the opportunities that were afforded to me become my responsibility in this significant challenge in south Florida.

I urge all of us to support this bill because it serves the needs of the alien children in the community in which they now reside. I ask, however, that you look upon this measure as one facet of a total educational and family responsibility.

At Biscayne, we have found that it is necessary to deal with the whole family unit if it is to remain a viable force. Primary and secondary education, as it is traditionally known, is pertinent and urgent. It is only the first step in the American promise of lifelong opportunities for education.

The problem of educating one's children is a primary problem for any family. It is critical to the integration of new immigrant families in the American societal fabric.

Thank you.

[The prepared statement of Father O'Neill follows:]

PREPARED STATEMENT OF REV. DR. PATRICK H. O'NEILL, OSA, PRESIDENT, BISCAYNE COLLEGE

My name is Patrick H. O'Neill, President of Biscayne College, in Miami, Florida. I am a priest in the Augustinian Order. I am here speaking on behalf of Biscayne College and the role it has played in providing, during my administration, special services to aliens in South Florida.

The population for which I speak, institutionally, is over 70% Hispanic and we have the largest existing Haitian Adult Development Education Program in Miami, which has served over 2,300 since its inception two years ago.

Consequently, I am very pleased to have been invited to testify before this committee, concerning the Alien Education Assistance Act. Senator Tower, should be commended for having the courage and foresight to recognize that illegal as well as the legal entrants should and must be served educationally. Pardon the personal reference for I dare say that many of you, like myself, may be a child of immigrant parents - the first generation of which can boast of being born in this country. It is my belief that as my parents were welcomed in the early part of this century, it is only fitting that I should speak for the newest immigrants in South Florida.

In the case of the Cuban population, its development in South Florida corresponds closely with the development to Biscayne College - for the College itself grew from the diaspora of Cubans in the 50's and 60's - my institution was originally founded in Cuba and was also forced to leave its birthplace and find new life on these shores. So speaking as the President of an institution that had its reinstitution from the Cuban immigration, I can not turn a deaf ear to the problems of our recent alien children and adults - not always legally admitted to the U.S.

Because many of the immigrants to South Florida come from countries that have a Catholic heritage it is only natural that they turn to the Church when they arrive in the U. S. For almost a quarter century the Catholic

Church in Miami has been in the forefront of this community's response to the influx of over one million refugees from the Caribbean alone!

The Archdiocese schools, which covers five counties in South Florida, had the following enrollment figures this past year.

Total Enrollment	-	37,443
Hispanic	-	14,686
Haitian	-	739
Anglo	-	20,198
Black	-	1,448
Oriental	-	379

This indicates that 41% of the diocesan schools enrollment is composed of Hispanic and Haitian children.

At Biscayne College our program of assistance to the Haitians began in June 1981. Since then the number of Haitian participants that received Counseling Services and also enrolled in our Basic English and Technical Vocational Education Classes is 2,331.

Approximately 60% of the participants depended upon the transportation service we provided in order to attend the classes. The cost of transportation (excluding the cost of the vehicles) for just one year exceeded \$29,857.00.

At the height of influx of the Haitian entrants into Dade County our Haitian Adult Development Education Program consisted of 15 classes of ESL and Basic Survival Skills.

10 entry-level job oriented Vocational Classes.

Counseling Services related to Family and Personal Matters,
Job Placement and Social Services.

The programs of the Church and the College have largely been supported by local private funds and by Foundation grants. It is estimated that the program of Biscayne College has reached almost 20% of the Haitian families in Miami!

I urge you to support this Bill because it serves the needs of the Alien children and the community in which they now reside. I ask, however, that you look upon this measure as one facet of a total FAMILY problem.

The Reagan Administration has said one of its objectives is to promote strong FAMILY units. In this regard many religious organizations also agree, including my own.

At Biscayne we have found that it is necessary to deal with the whole FAMILY unit if it is to remain a viable force. This means that the education, health, child-care, employment, housing, and transportation needs must be provided for in many cases.

I am aware that there are separate Bills that address many of these FAMILY needs. My point in this testimony is to stress that all of these separate Bills are important as a group and should be understood and supported in this context.

The problems of educating ones children is a prime problem for any family. It is critical to the integration of new immigrant families into the American societal fabric.

Senator STAFFORD. Thank you very much, Father O'Neill. We really appreciate your testimony and that of Dr. Cabaniss.

For the committee members who are unable to be here this afternoon, I would like to reserve the right to submit questions to both of you and to the panels who will follow in writing for response in writing, if that is their wish.

Would that be agreeable?

Dr. CABANISS. Certainly.

Father O'NEILL. Yes.

Senator STAFFORD. Thank you.

I am very happy that Senator Pell, the ranking member of this subcommittee has arrived.

We have a few questions for you we are going to ask verbally as well. Maybe I did not make that clear and you thought you were going to get away easily. But, routinely, we do like to make sure that members who cannot be here due to things like the defense budget fight do have the chance to ask questions in writing.

Father O'Neill, do you have any idea of the number or percentage of alien children in south Florida who are receiving educational services in nonpublic schools?

Father O'NEILL. I can speak for the Catholic community. Currently enrolled in the Archdiocese of Miami schools in Dade County are approximately 38,000 children in the elementary and secondary schools. Fifty-six percent of these are Hispanic and Haitian background children.

Senator STAFFORD. Putting aside the question of language barriers, how well prepared are alien children when they enter American schools?

Father O'NEILL. I would find that the preparation depends on the family background. There is a need, as we know, in college education for a lot of complementary components of education today—assistance and requiring skills programs. That is why I addressed the factor of total family based education.

Whatever we would accomplish, as we traditionally have done in America, in the primary and secondary school classrooms can be limited if we do not look at the larger educational questions. I see this as a first, basic, important step, keeping our eye on the larger question of preparation.

I would suggest their preparation is probably very limited, but they are aggressive learners; they are some of our best learners, in my experience in the last 4 years in Miami.

Senator STAFFORD. Thank you, Father O'Neill.

Dr. Cabaniss, what portion of your State budget for education is directly targeted to defraying the costs of educating alien children?

Dr. CABANISS. Well, of course, our problem is mainly concerning Hispanic children, and they are often being educated in our bilingual program. Also, they are often educationally disadvantaged, so the \$2,600 per-pupil expenditure that we have estimated to be the average per-pupil expenditure does not cover the more costly programs—such as programs for the bilingual and the educationally disadvantaged. So, the cost would actually exceed the estimate of \$2,600 per child that we are currently spending.

We have estimated that we have 29,170 undocumented aliens. We have not done a survey to count legal alien students because we have not had any reason to do that up to this time.

Senator STAFFORD. Are you aware of any estimates indicating the extent to which alien parents contribute through local property or any other taxes to the education of their children?

Dr. CABANISS. No, sir, since we have not counted legal alien children.

Senator STAFFORD. Thank you.

Senator Pell, do you have any questions?

Senator PELL. No questions.

Senator STAFFORD. Thank you both very much for helping the committee in considering Senator Tower's legislation for the problems that you face in Texas and Florida.

Dr. CABANISS. Thank you.

Senator STAFFORD. The next panel will consist of Ms. Phyllis Armijo of El Paso, Tex., and Ms. Bebe Zuniga of the Laredo Independent School District in Laredo, Tex. Let me welcome you both here on behalf of the committee.

Having introduced Ms. Armijo first, I would invite you to go ahead. You have heard about the 5-minute warning, I hope.

STATEMENT OF PHYLLIS ARMIJO, PRESIDENT, BOARD OF TRUSTEES, YSLETA INDEPENDENT SCHOOL DISTRICT, EL PASO, TEX.; AND BEBE ZUNIGA, VICE PRESIDENT, LAREDO INDEPENDENT SCHOOL DISTRICT, LAREDO, TEX., A PANEL

Ms. ARMIJO. Senator Stafford and Senator Pell, my name is Phyllis Armijo and I am president of the Ysleta Independent School District Board of Trustees in El Paso. I am pleased to appear before you to testify concerning the Alien Education Assistance Act.

The problem of educating children who are not legally admitted into the United States is one of the effects of an immigration policy that permits an uncontrollable flow of immigrants.

My testimony deals only with the need for assistance to our district for children who are undocumented. It does not deal with a national policy that has brought children here legally under political asylum because financial assistance is already available for them through the Refugee Education Assistance Act of 1980.

This complex issue of immigration appears far from being resolved through legislation and/or enforcement. While the debates continue, the Ysleta district, a large, urban district of 45,000 students located along the Mexican border, is providing for the education of these students.

In our district, and probably in most large districts, it is difficult to validate the number of children who are undocumented because other than enrollment forms and birth certificates to verify age, we do not have a standardized system for identification.

Our estimate for the 1983 school year of 617 students is based on limited identification procedures. Coupled with the lack of procedures for accurate counts is the fact that the practical line separating legal status is difficult to draw because, in some cases, residency is established for children who are Mexican citizens through

legal guardianships in the homes of relatives who are citizens or legal residents.

The cost of educating undocumented resident students becomes a problem for the Ysleta School District because of our limited financial resources. We are a low tax-wealth district located in El Paso, a city which was recently ranked as the seventh poorest in the Nation.

The average income in El Paso is \$15,600. For Hispanics in El Paso, the average income is \$12,720. The city is 60 percent Hispanic and the makeup of the students in our district is 77 percent Hispanic. The unemployment rate in our city is 12 percent.

The amount of taxable property in our district, the Ysleta district, is \$43,500 per student, as compared to the State average of \$141,000 per student. This means that in order to equalize resources on a dollar-for-dollar basis, we must generate three times from local taxes than the average school district in our State.

In addition to being property poor, 57 percent, or 25,000, of our students qualify as economically disadvantaged in terms of the free and reduced-price lunch eligibility. Over 6,000 of our students are classified as "limited English proficient" and in need of bilingual education and English as a second language instruction.

As you can see, a large portion of our student enrollment is eligible for high-cost special services. The State and Federal resources we receive amount only to \$4 million, or about 4 percent, of our \$100 million budget. The remainder must be derived from general State aid and from local taxes, which have increased steadily over the past few years.

We are hard pressed to raise additional money locally because of our property-poor status and because of the inability of our residents to pay based on income in the city.

In terms of minimum educational achievement, the Ysleta district has been very effective in absorbing undocumented children. As you can see from the test score results—even though we have the least amount of money, we are almost at the top of the largest school districts in Texas on test scores.

Even though we have been very effective in absorbing undocumented children who have impacted our growth because of immigration policy, this has not been without a high cost to the local district.

At a time when our local, State, and National goals are for higher achievement levels, we are concerned that the long-term result will be a weaker educational program for all our students and higher taxes for a community which is already hard pressed to pay.

It is now time for the Federal Government to share in the cost. We commend Senator Tower for initiating this effort. We do believe, however, that the most effective approach would be to allocate Federal funds to local school districts on the basis of student count, like the rest of impact aid.

We would support giving an assurance that the money would be used for educational services for undocumented children. In Ysleta, that would include funds for bilingual and ESL teachers, and to remodel existing classroom facilities.

I would be happy to answer questions that the committee may have. Thank you.

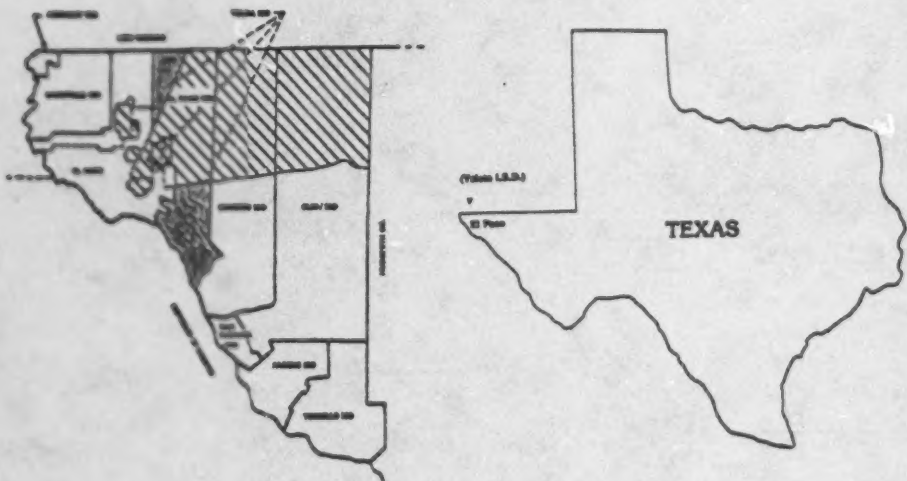
[The prepared statement of Ms. Armijo follows:]

PREPARED STATEMENT OF PHYLLIS ARMIJO, PRESIDENT, BOARD OF TRUSTEES, YSLETA
INDEPENDENT SCHOOL DISTRICT, EL PASO, TEX.

YSLETA INDEPENDENT SCHOOL DISTRICT

The District is located in El Paso County, the western-most Texas county, and covers an area of 61.7 square miles. The District comprises the eastern one-third of the City, from the foot of the Rocky Mountains on the north, to the Rio Grande on the south. The U. S. government's Fort Bliss forms the City's northeastern boundary, as well as the District's eastern and northern boundaries. The map below shows the location of the District within the City.

SCHOOL DISTRICT MAP OF EL PASO COUNTY
SHOWING LOCATION OF YSLETA ISD



YSLETA INDEPENDENT SCHOOL DISTRICT
EL PASO - TEXAS

STATISTICS

Seventh Largest School District in Texas

1982-83 Student Membership:	44,706
1982-83 Assessed Property Valuation:	\$2,484,051,473
1982-83 Budget Total:	\$ 105,389,993
1982-83 Total Number of Employees:	4,019

SPECIAL POPULATIONS

Ethnic/Minority Students	79%
Hispanic Students	77%
Free and Reduced Lunch Students	57%
Limited English Proficient Students	16%

FACILITIES

Seven High Schools
Two Junior High Schools
Six Middle Schools
31 Elementary Schools
One Special Learning Center

I. INTRODUCTION

A reading of the statement of philosophy (See Appendix A) shows that the Ysleta Independent School District Board of Trustees takes great pride in the efforts it is making to provide educational opportunities to students. Among its responsibilities is making information available to government officials who are studying special problems which confront school districts with unique situations. A major problem faced by the Ysleta Independent School District is that of providing education to undocumented alien students.

II. THE NATURE OF THE PROBLEM

It is difficult to provide specific information about the extent of the impact of documented and undocumented alien students on education for two reasons:

1. Undocumented aliens will not voluntarily come forward to identify themselves;
2. In 1980 Judge Seals issued a court decision which in effect said that school districts were to treat undocumented alien students the same as any other students. Since then there has been no administrative need for an accurate count of undocumented alien students, and school officials have not expended the significant time and effort which would be required to secure the information.

For these two reasons, the information provided here is based on counts taken in the past and estimates of numbers in the present.

A study done by Hensley in 1976¹ showed that Ysleta Independent School District had 3,184 Mexican immigrant-alien students. That figure represented 7.8 percent of Ysleta ISD's enrollment. A 1983 study by Valverde and Cortez showed that in the state of Texas, the largest increases in numbers of undocumented alien students had occurred in border-area school districts and in the major urban centers.² Ysleta Independent School District meets both of those criteria. Thus, it seems very likely that the figure of 7.8 percent is a minimum estimate of the percentage of Mexican immigrant-alien students in Ysleta ISD at this time. It is not known exactly how many of these Mexican immigrant-alien students are undocumented. But in all likelihood, the number is well above the minimum of 500 set by the proposed legislation.

¹Jim Bob Hensley, "The Impact of Students from Mexico Upon Selected School Districts in Texas Counties Adjacent to the Mexican Border" Ph.D. dissertation, Texas A & M University, 1976. p. 46. (Mexican Immigrant/Alien is defined in this study as a person from Mexico who comes to the United States to take up permanent residence, or a Mexico-born resident who has not been naturalized and is still a citizen of Mexico.)

²Leonard A. Valverde and Albert Cortez, "The Impact of Mandated Enrollment of Undocumented Students in Selected Texas Public Schools" Office for Advanced Research in Hispanic Education, University of Texas at Austin, 1983. p. 10.

III. CHARACTERISTICS OF THE UNDOCUMENTED ALIEN STUDENT

Culturally different - the student is making the adjustment to a new way of life while trying to get an education.

Language handicapped - the student has limited or non-existent proficiency in English.

Over age - although the student's skills in some subject areas, such as mathematics and Spanish, are often equal to the American student's, his/her limited English proficiency mandates placement with younger children.

IV. CURRENT EDUCATIONAL EFFORTS

The Ysleta Independent School District is making an effort to serve all students. The District secured \$2.45 million in funding in 1982-83 from Chapter I (ECIA) to meet the needs of educationally handicapped, economically deprived students. The State of Texas provided \$1,252,860 in Compensatory Education funding this past year to enhance educational programs for special students.

Funding for state and federal bilingual education programs in the amount of \$358,984 was used to supplement the educational programs for the Spanish dominant, Limited English Proficient student.

Full-day kindergarten is offered at local expense to students who do not qualify for State Compensatory Funds.

As the following figures show, the local tax has risen steadily over the past few years. The presence of documented and undocumented alien students in the District has accelerated the need to increase property tax.

Tax Rates (Per \$100 Net Assessed Valuation)

<u>Fiscal Year Ending August 31</u>	<u>Tax Rate</u>
1973	\$1.05
1974	1.20
1975	1.28
1976	1.28
1977	1.28
1979	1.44
1980	1.50
1981*	0.73
1982	0.736
1983	0.805

Source: Audited financial statements of the District.

*Revaluation to 100% performed. Prior years were based upon 1957 valuations at 50% of market value.

In 1982 District residents passed a \$63.5 million bond issue for construction and renovation of school facilities. The passage of the bond referendum was essential to meet the District's phenomenal growth and to maintain the cooling and heating systems provided at each campus.

District efforts to provide a comprehensive instructional program and adequate physical facilities are reflected in student achievement test scores. Average scores of second, sixth and seventh grade students on standardized achievement tests show them to be performing above grade level. (See Appendix B) A greater proportion of Ysleta's ninth grade students showed mastery of the Texas Assessment of Basic

Skills (TABS) than ninth grade students in any of the other of the seven largest school districts in Texas. (See Appendix C)

V. DIFFICULTIES

Yet problems persist, exacerbated by the presence of undocumented alien students in Ysleta ISD.

Crowded Schools

School districts along the Mexican border, those most likely to have a high number of undocumented alien students, tend to have a low tax base. The Ysleta District has just over \$43,500 of taxable property per student in average daily attendance. The Texas state average is over \$141,000 per student in average daily attendance. The size of the local tax base is important because by Texas law, construction of classrooms and school buildings is paid for entirely with local funds.

Since undocumented alien students are economically deprived, they rarely create new taxable wealth in a district. These students tend to reside with relatives in already existing domiciles. The presence of undocumented alien students in the Ysleta District this year probably caused a need for more than twenty extra classrooms. Yet the undocumented alien contributed very little to the local tax base used to provide those classrooms.

Bilingual and ESL Teacher Shortages

The Ysleta District has 6,978 students classified as Limited English Proficient and thus entitled to bilingual or

English-as-a-second-language instruction. To date the District has been unable to employ enough certified and competent bilingual education teachers to provide this instruction. Another 105 teachers are needed. District officials are now facing the possibility of using local funds to pay teachers to go back to school and obtain certification in bilingual education. This will put an additional burden on the local tax base.

Again, this is not due solely to the presence of undocumented alien students in our midst. But their presence contributes to the existing problem.

Elusive Nature of the Problem

School officials, sincerely trying to provide education to undocumented alien students, are apt to feel caught in a double bind.

At present there are not sufficient resources to bring to the task of counting undocumented alien students. Nor is there a standardized system for identifying these students while protecting their individual rights and the rights of all other students. Yet school officials have difficulty convincing governmental agencies of the need for resources because they do not have an accurate count of the undocumented alien students. Ysleta is no different in this respect from other school districts similarly impacted.

VI. CONCLUSION

Funding provided by this legislation would help the Ysleta Independent School District in three ways. It would help make classroom facilities available to all students, facilities which are in short supply partly due to the presence of undocumented alien students in our schools. It would help the District secure bilingual education and English-as-a-second-language teachers. And it would help to monitor the presence of undocumented alien students in the Ysleta Independent School District so that resources could be more appropriately allocated to meet their needs.

APPENDIX A

Statement of Philosophy of the
Ysleta Independent School District
Board of TrusteesEDUCATIONAL PHILOSOPHY

The responsibility for the educational leadership of the District is one facet of Board governance that is regarded by the Trustees of the Ysleta Independent School District as a very serious one. While rules of the Texas Education Agency and laws of the Texas Legislature are a very significant part of the educational goals of the Ysleta School District, the Board is committed to exercising its local power and authority to formulate policies and allocate its funds to provide the students of the District with those educational experiences deemed necessary. Based on the belief that our school system can continually be improved, the Board is further committed to participate in policy decisions at the state level and to assess the state educational goals periodically to assure that the learning needs of the children of the District are being met and that adequate resources are provided to meet these needs.

Philosophy

The goals, aspirations, and expectations that the Ysleta Independent School District Trustees have for the District--that body of thought and principles that make up our philosophy of education--are outlined below. These views will become an essential part of the educational policy for the District which will serve as a guideline for the Superintendent in the administration of the District.

We believe ...

- A. that education is a joint responsibility shared by the School District, students and parents. Board members and educators should provide a structure where children will achieve educational objectives based on their individual abilities. Parents should ensure that their children are in attendance, prepared and motivated. Students should be active and responsible participants in the learning process.
- B. that District resources should be used to promote educationally valuable experiences for students. As a priority we are committed to making budgetary decisions for the development of the students so that they will be prepared to participate effectively in society.
- C. in the development and maintenance of high standards for achievement recognizing individual abilities and learning rates.
- D. that equal educational opportunity should exist for pupils and that accessibility to educational programs, services, and activities should be provided on an equitable basis regardless of a student's school of attendance.

- E. in having high expectations for all students regardless of ethnicity and socioeconomic status. We believe that all students are capable of learning and that teachers are capable of teaching them successfully.
- F. in developing responsible student behavior by clearly defining a code of student conduct, the consequences of behavior, and by assisting students in understanding themselves.
- G. in developing self-esteem and confidence in our students and recognizing the effectiveness of positive reinforcement.
- H. in educational equity; in the promotion of ongoing evaluation and monitoring of textbooks, course offerings, instructional materials, and extracurricular activities to ensure that no student is discriminated against on the basis of sex or ethnicity. We reject the reinforcement of preparing boys and girls for traditional roles and jobs. We further believe in educational programs which maximize options for all students so they will be able to make the best possible choices of a career by exploring the many options which are available.
- I. that improving student achievement is the goal of testing and standard setting and that educational goals should set the agenda for testing.
- J. that students should achieve essential basic minimum competency skills and use these skills in achieving mastery of an extended curriculum.
- K. in the establishment of appropriate programs to assist students in the achievement of basic skills and we reject the concept of social promotion.
- L. in providing students with the opportunities for maximum potential by offering effective special programs for gifted and talented.
- M. in providing appropriate special education programs for handicapped students and that handicapped students should be educated in the least restrictive environment with their nonhandicapped peers to the extent practicable.
- N. that Bilingual Education and English as a Second Language programs are fundamental to ensure full educational opportunities for those students whose first language is not English.
- O. all special programs should be designed and modified based on effectiveness for improving student achievement rather than on administrative expediency.

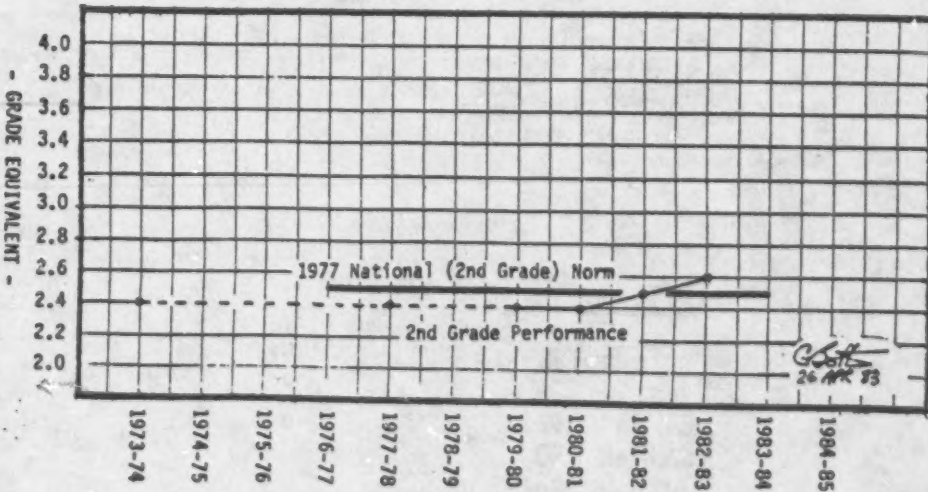
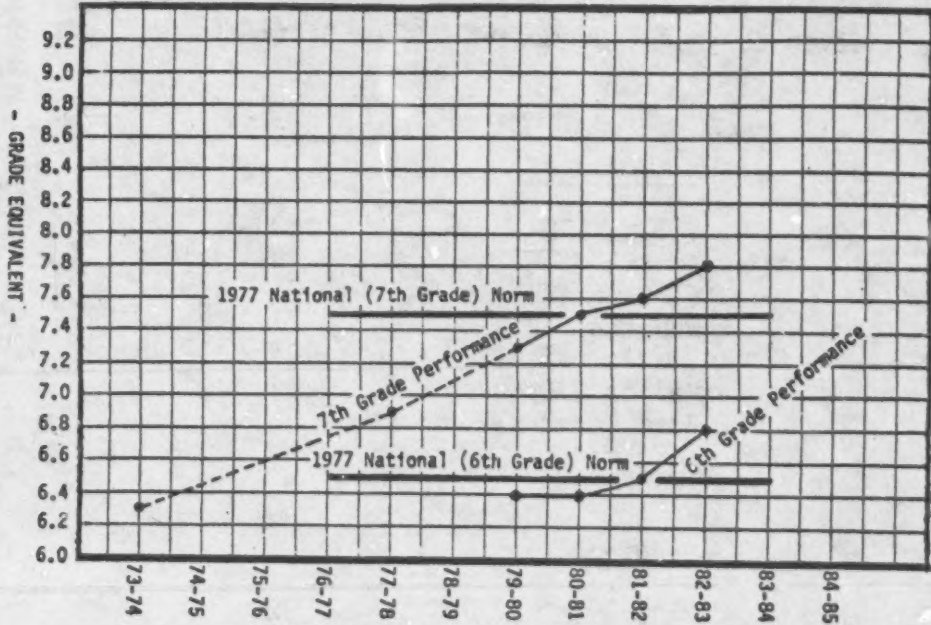
- P. in a broad definition of literacy to include the impact of technology and place a high value on questioning, problem solving, and research.
- Q. that learning activities should have an empirical and rational basis and have relevance to the lives of the students.
- R. in using community resources and complementing the instructional program.
- S. that instructional time is a precious commodity which must be respected and used wisely to achieve learning outcomes.
- T. in excellence in teaching and thus value teachers as important to the outcome of student achievement.
- U. in the promotion of the professional image of teachers and their contribution to student achievement.
- V. in improving the classroom teachers' environment through effective communication, meaningful performance evaluations, effective staff development, and recognition for a job well done.
- W. that teachers should be appropriately placed in terms of the teacher's strengths.
- X. that a competent and energetic school administration is essential for student achievement.
- Y. in collaborative relationships among all those people who are involved with the education of children.
- Z. in creating interaction between the District and community to develop understanding of the educational process so that a presence of education is felt in the community and that the presence of the community is felt among educators.
- AA. in accountability to the community by defining to parents and students what the District will accomplish, how it intends to accomplish it, and the evidence that it has been accomplished.

POLICY ADOPTED: September 14, 1982

APPENDIX B

Ysleta ISD Student Scores
on the California Achievement Tests

TITLE:

CAT TESTS
1973-1983ANNUAL COMPARISONS OF YISD
STANDARDIZED TEST RESULTSYSLETA ISD
RESEARCH
DEPARTMENT

APPENDIX C

PERCENTAGE OF NINTH GRADE STUDENTS PASSING
TEXAS ASSESSMENT OF BASIC SKILLS 1983

Seven Largest Independent School Districts in Texas

Mathematics

Ysleta ISD	82
Austin ISD	78
El Paso ISD	74
Houston ISD	71
San Antonio ISD	64
Dallas ISD	64
Fort Worth ISD	62

Reading

Ysleta ISD	82
Austin ISD	79
El Paso ISD	71
Houston ISD	70
Fort Worth ISD	69
San Antonio ISD	66
Dallas ISD	65

Writing

Ysleta ISD	92
Austin ISD	88
El Paso ISD	84
Dallas ISD	83
Fort Worth ISD	83
San Antonio ISD	81
Houston ISD	80

Senator STAFFORD. Thank you very much indeed.

Ms. Zuniga, we would now be pleased to hear you.

Ms. ZUNIGA. Thank you, Senator Stafford and Senator Pell.

My name is Bebe Zuniga and I am vice president of the Laredo Independent School District Board of Trustees, situated in Laredo, Tex. Laredo is located on the banks of the Rio Grande. At present, we have the highest unemployment rate in the country, as released by the Department of Labor on Monday, July 18.

Our school district is only 13 square miles and, unfortunately, we cannot grow. Within these 13 miles reside over 22,000 schoolchildren. Over 80 percent of these scholastics are members of families who exist at poverty level, as determined by their application for the free Federal lunch program.

Of these 13 miles, approximately 3 miles comprise the downtown mercantile district. Warehousing related directly to international trade comprises another 3 miles. Five miles are comprised of neighborhoods, whose incomes rank below the national poverty level.

This leaves only 2 square miles comprised of homes of average to moderate income. Our tax base for education is severely limited. This is further hampered by the recent devaluation of the peso and the exchange controls imposed by the Mexican Government. Both of these actions have forced merchants, whose businesses were approximately 80 percent Mexican trade, to close their stores, thus reducing the tax base for our school district.

To clarify, 2 years ago approximately \$7.5 million was returned to our city by the State, representing its sales tax. Today, our city budgeted for the present fiscal year approximately \$3,300,000, and this is an optimistic figure.

We have an extreme financial problem facing our city, which in turn directly affects our school district; in effect, the domino theory. As a member of the Laredo Independent School District [LISD] finance committee, I am well aware of the direct effect this condition will have on our 1983-84 budget.

We have just last week been presented with the most austere and tight budget in the history of our schools. This budget is one from which \$3 million was eliminated just days before presentation to the board. Our budget is bare-bone, no meat.

We are being very optimistic and basing our budget upon a projected tax collection of 92 percent. This, I personally believe, is unrealistic.

Nationwide, school districts are closing schools. LISD was forced into constructing four new schools to provide for the influx of families who have legal alien status and those who have fled an economic situation.

The U.S. Government saw fit to grant financial aid to provide for the education and welfare of those who have fled for political reasons and have been classified as aliens. Yet, there has been no direct address to those aliens who have fled as a result of economic conditions.

You are all aware of our problem of illegal alien influx—a problem that is becoming more acute day by day along our 2,000-mile border. LISD has just finished a construction program of over \$16 million. This is a project that, by September 1983, will be filled to

capacity. We are now preparing for the additional alien population that we experience each school year.

Our economy, our tax base, our State funds for education cannot adequately support the alien population. We must have financial aid from some source. To specifically address what our district has done to confront this problem, we have added additional classrooms, constructed new schools, employed additional personnel trained to address problems inherent with the alien child, and have developed curriculum to aid their transition into our society.

We were instrumental in starting the bilingual program that has been developed nationwide. All this was done at our expense. We cannot, at this point in time as a school district, consider an increase in our school and property taxes.

Our national economy may show a significant rise, as reported on July 21. However, our economy in Laredo is tied directly to the economy of Mexico. By all indications, their recovery will be a slow process and we cannot survive during this period.

Gentlemen, we have exhausted our resources. We strongly endorse the Alien Education Assistance Act. We believe we have gone the limit with our resources. We cannot return to our citizens for further financial aid. Our economic times do not permit this course of action. We therefore turn to wiser heads for our solution.

Gentlemen, the Alien Education Assistance Act will provide the means by which our school district can and will survive the problem that confronts us. Thank you very much.

[The prepared statement of Ms. Zuniga follows:]

PREPARED STATEMENT OF MS. BEBE ZUNIGA, VICE PRESIDENT, LAREDO INDEPENDENT
SCHOOL DISTRICT

FIRST OF ALL, I WOULD LIKE TO THANK SENATOR JOHN TOWER FOR INTRODUCING THE BILL "ALIEN EDUCATION ASSISTANCE." I WOULD ALSO LIKE TO THANK SENATOR TOWER AND SENATOR ROBERT STAFFORD FOR INVITING ME TO TESTIFY ON BEHALF OF THIS BILL. I BELIEVE VERY STRONGLY THAT THIS BILL WILL BE THE SALVATION OF MY SCHOOL DISTRICT.

MY NAME IS MRS. BEBE ZUNIGA AND I AM VICE-PRESIDENT OF THE LAREDO INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES, SITUATED IN LAREDO, TEXAS.

LAREDO IS LOCATED ON THE BANKS OF THE RIO GRANDE, THE DIVIDING LINE BETWEEN THE UNITED STATES AND MEXICO. AT PRESENT, WE HAVE THE HIGHEST UNEMPLOYMENT RATE IN THE COUNTRY AS RELEASED BY THE DEPARTMENT OF LABOR ON MONDAY, JULY 18, 1983.

OUR SCHOOL DISTRICT IS ONLY THIRTEEN (13) SQUARE MILES AND UNFORTUNATELY WE CANNOT GROW. OUR DISTRICT IS BOUNDED ON THE NORTH AND EAST BY THE UNITED INDEPENDENT SCHOOL DISTRICT AND ON THE SOUTH AND WEST BY THE RIO GRANDE RIVER, THE NATURAL BOUNDARY BETWEEN THE UNITED STATES AND MEXICO.

WITHIN THESE THIRTEEN SQUARE MILES OF OUR DISTRICT, RESIDE OVER 22,000 SCHOOL CHILDREN. OVER EIGHTY (80) PER CENT OF THESE SCHOLASTICS ARE MEMBERS OF FAMILIES WHO EXIST AT POVERTY LEVEL, AS DETERMINED BY THEIR APPLICATIONS FOR THE FREE FEDERAL LUNCH PROGRAM. (THIS IS CITED TO SUPPORT THE ECONOMIC LEVEL OF OUR COMMUNITY AS A RESULT OF UNEMPLOYMENT.)

OF THESE THIRTEEN SQUARE MILES, APPROXIMATELY THREE (3) SQUARE MILES COMPRISE THE DOWNTOWN MERCANTILE DISTRICT. WAREHOUSING, RELATED DIRECTLY TO INTERNATIONAL TRADE, COMPRISE ANOTHER THREE (3) MILES. OF THE REMAINING SEVEN (7) MILES, FIVE (5) ARE COMPRISED OF NEIGHBORHOODS WHOSE INCOMES RANK BELOW THE NATIONAL POVERTY LEVEL. THIS LEAVES ONLY TWO (2) SQUARE MILES COMPRISED OF HOMES IN THE AVERAGE TO MODERATE INCOME. AS ONE CAN READILY SEE, OUR TAX BASE FOR EDUCATION IS SEVERELY LIMITED. THIS IS FURTHER HAMPERED BY THE RECENT DEVALUATION OF THE PESO AND THE EXCHANGE CONTROLS IMPOSED BY THE MEXICAN GOVERNMENT. BOTH OF THESE ACTIONS HAVE FORCED MERCHANTS, WHOSE BUSINESS WAS APPROXIMATELY EIGHTY (80) PER CENT MEXICAN TRADE, TO CLOSE THEIR STORES, THUS REDUCING THE TAX BASE FOR OUR SCHOOL DISTRICT.

TO CLARIFY - TWO YEARS AGO, APPROXIMATELY 7 1/2 MILLION DOLLARS WAS RETURNED TO OUR CITY BY THE STATE REPRESENTING ITS SHARE (1%) OF TOTAL SALES TAX. TODAY, OUR CITY BUDGETED FOR THE PRESENT FISCAL YEAR APPROXIMATELY 3 MILLION, 300 THOUSAND DOLLARS TO BE RETURNED TO THE CITY BY THE STATE AND THIS IS AN OPTIMISTIC FIGURE.

PRESENTLY, LAREDO MERCHANTS ARE REQUESTING FROM THE CENTRAL APPRAISAL DISTRICT, A RECONSIDERATION ON THE VALUATION OF THEIR PROPERTIES. THEY HAVE BEEN JOINED IN THIS ACTION BY PEOPLE OWNING WAREHOUSES.

AS A RESULT OF THE MANY BUSINESSES THAT HAVE CLOSED, OUR SCHOOL

DISTRICT LOST THE TAX BASE ON THEIR INVENTORY; THE REMAINING MERCHANTS HAVE REDUCED THEIR INVENTORIES BY APPROXIMATELY FIFTY (50) PER CENT.

AS A RETAILER OF EIGHTEEN YEARS, I USE MYSELF AS AN EXAMPLE. I HAD THREE STORES IN 1982. ONE WAS IN THE DOWNTOWN AREA, ONE IN NORTH LAREDO AND MY MAIN STORE ON THE EAST SIDE OF TOWN. AS A RESULT OF THE ECONOMIC SITUATION IN LAREDO, I WAS FORCED TO CLOSE THE DOWNTOWN STORE, THE STORE IN THE NORTH SIDE IS OPEN ONLY ONE-HALF OF THE DAY AND THE MAIN STORE'S EMPLOYEES WEEKLY HOURS HAVE BEEN REDUCED FROM 40 TO 32.

THESE FIGURES ARE PRESENTED TO YOU TO GIVE AN OVERVIEW OF THE PRESENT ECONOMIC PICTURE OF LAREDO, TEXAS. WE HAVE AN EXTREME FINANCIAL PROBLEM FACING OUR CITY, WHICH IN TURN DIRECTLY AFFECTS OUR SCHOOL DISTRICT - IN EFFECT, THE DOMINO THEORY.

AS A MEMBER OF THE LAREDO INDEPENDENT SCHOOL DISTRICT'S FINANCE COMMITTEE, I AM WELL AWARE OF THE DIRECT EFFECT THIS CONDITION WILL HAVE ON OUR 1983-1984 SCHOOL YEAR. WE HAVE JUST LAST WEEK BEEN PRESENTED WITH THE MOST AUSTERE AND "TIGHT" BUDGET IN THE HISTORY OF OUR SCHOOL DISTRICT. THIS BUDGET IS ONE FROM WHICH THREE MILLION DOLLARS WAS ELIMINATED JUST DAYS BEFORE PRESENTATION TO THE BOARD. OUR BUDGET IS 'BARE BONE' - 'NO MEAT.'

WE ARE BEING VERY OPTIMISTIC AND BASING OUR BUDGET UPON A PROJECTED TAX COLLECTION OF 92%. THIS I PERSONALLY BELIEVE IS UNREALISTIC. SHOULD WE COLLECT 80% OF OUR TAXES, WE WOULD BE

FORTUNATE. IN VIEW OF OUR ECONOMY, EVEN 80% BECOMES UNREALISTIC.

NATIONWIDE, SCHOOL DISTRICTS ARE CLOSING SCHOOLS. LAREDO INDEPENDENT SCHOOL DISTRICT WAS FORCED INTO CONSTRUCTING FOUR NEW SCHOOLS TO PROVIDE FOR THE INFLUX OF FAMILIES THAT HAVE LEGAL ALIEN STATUS AND THOSE WHO HAVE FLED AN ECONOMIC SITUATION. THE U. S. GOVERNMENT SAW FIT TO GRANT FINANCIAL AID TO PROVIDE FOR THE EDUCATION AND WELFARE OF THOSE WHO HAVE FLED FOR POLITICAL REASONS AND HAVE BEEN CLASSIFIED AS "ALIENS." YET, THERE HAS BEEN NO DIRECT ADDRESS TO THOSE "ALIENS" WHO HAVE FLED AS A RESULT OF ECONOMIC CONDITIONS. YOU ALL ARE AWARE OF OUR PROBLEM OF "ILLEGAL ALIEN INFLUX"--A PROBLEM THAT IS BECOMING MORE ACUTE DAY BY DAY ALONG OUR 2,000 MILE BORDER.

LAREDO INDEPENDENT SCHOOL DISTRICT HAS JUST FINISHED A CONSTRUCTION PROGRAM OF OVER SIXTEEN (16) MILLION DOLLARS. (SEE ATTACHMENT #1) THIS IS A PROJECT THAT BY SEPTEMBER, 1983 WILL BE FILLED TO CAPACITY. WE ARE NOW PREPARING FOR THE ADDITIONAL "ALIEN" POPULATION THAT WE EXPERIENCE EACH SCHOOL YEAR. OUR ECONOMY, OUR TAX BASE, OUR STATE FUNDS FOR EDUCATION CANNOT ADEQUATELY SUPPORT THE ALIEN POPULATION. (SEE ATTACHMENT #2 - CURRENT TREND IN EDUCATION.)

WE MUST HAVE FINANCIAL AID FROM SOME SOURCE.

TO SPECIFICALLY ADDRESS WHAT OUR DISTRICT HAS DONE TO CONFRONT THE ALIEN PROBLEM, I CAN SAY THIS:

WE HAVE ADDED ADDITIONAL CLASSROOMS, CONSTRUCTED NEW SCHOOLS, HAVE EMPLOYED ADDITIONAL PERSONNEL TRAINED TO ADDRESS PROBLEMS INHERENT WITH THE ALIEN CHILD AND HAVE DEVELOPED CURRICULUM TO AID THEIR TRANSITION INTO OUR SOCIETY. WE WERE INSTRUMENTAL IN STARTING THE BI-LINGUAL PROGRAM THAT HAS BEEN DEVELOPED NATIONWIDE. ALL THIS WAS DONE AT OUR EXPENSE. WE CANNOT, AT THIS POINT IN TIME, AS A SCHOOL DISTRICT, CONSIDER AN INCREASE IN OUR SCHOOL AND PROPERTY TAXES.

OUR NATIONAL ECONOMY MAY SHOW A SIGNIFICANT RISE AS REPORTED ON JULY 21, 1983. HOWEVER, OUR ECONOMY IN LAREDO IS TIED DIRECTLY TO THE ECONOMY OF MEXICO. BY ALL INDICATIONS THEIR RECOVERY WILL BE A SLOW PROCESS AND WE CANNOT SURVIVE DURING THIS PERIOD.

GENTLEMEN, WE HAVE EXHAUSTED OUR RESOURCES!!!!!!!

WE STRONGLY ENDORSE THE ALIEN EDUCATION ASSISTANCE ACT AS A MEANS BY WHICH SCHOOL SYSTEMS, SUCH AS LAREDO INDEPENDENT SCHOOL DISTRICT, WILL BE ABLE TO TAKE CARE OF EDUCATIONALLY, THE ALIEN CHILD. TO ME, THERE IS NO ALTERNATIVE BUT THE ALIEN EDUCATION ASSISTANCE ACT TO PROVIDE THE FINANCIAL RELIEF AND ASSISTANCE THAT IS SO DESPERATELY NEEDED BY LAREDO INDEPENDENT SCHOOL DISTRICT. WE BELIEVE WE HAVE GONE THE LIMIT WITH OUR LIMITED RESOURCES; WE CANNOT RETURN TO OUR CITIZENS FOR FURTHER

FINANCIAL AID; OUR ECONOMIC TIMES DO NOT PERMIT THIS COURSE OF ACTION; WE THEREFORE TURN TO WISER HEADS FOR OUR SOLUTION. GENTLEMEN, THE ALIEN EDUCATION ASSISTANCE ACT WILL PROVIDE THE MEANS BY WHICH OUR SCHOOL DISTRICT CAN AND WILL SURVIVE THE PROBLEM THAT CONFRONTS US. THANK YOU FOR YOUR MOST KIND ATTENTION DURING MY TESTIMONY AND I KNOW YOUR WISE JUDGMENT AND CONSIDERATION WILL PREVAIL.

(NOTE: In the interest of economy, the attachments accompanying the prepared statement of Mrs. Zuniga were retained in the files of the committee.)

Senator STAFFORD. Thank you very much, Ms. Zuniga.

Ms. ZUNIGA, how has the quality of education in your school system been affected by the need to spread educational funds over increasing numbers of students?

Ms. ZUNIGA. I do not think our education has suffered, as such, sir, but we are just having to do with less.

Senator STAFFORD. Ms. Armijo, does your school district employ any emergency certification procedures to address the problem of insufficient numbers of bilingual and English as a second language teachers?

Ms. ARMIJO. Yes, we do. We do not like to because we would rather have a qualified bilingual education teacher, but this is a problem, along with math and science shortages in the State of Texas. There is definitely a shortage of bilingual education teachers who are certified.

Senator STAFFORD. Let me ask this question of both of you. Under the Alien Education Act, States and then local districts would receive funding based on the number of alien children enrolled in public schools.

How difficult is it to determine the number of students who would be eligible for assistance under this bill?

Ms. ZUNIGA. In the year 1883, we had 784 of them, sir.

Senator STAFFORD. 1883 or 1983?

Ms. ZUNIGA. I am sorry; 1982-83.

Senator STAFFORD. Thank you. Do you have a response to that question?

Ms. ARMIJO. Yes; the procedures have not been refined. I think the important thing is to refine the procedures, but also in terms of making sure that we do not violate individual rights of the students as well as the rights of the other Hispanic students. So, this is very important.

But you know that when there is a Federal impact aid bill, the school districts will make every effort to find out exactly how many students they have so that they will receive their allocation. We would want it to be targeted specifically for these children, but that the funds go directly to the district.

Senator STAFFORD. Thank you. Do either of you have any idea how much, on the average, alien parents contribute, through property and other local taxes, to the education of their children?

Ms. ZUNIGA. In my school district, very little, sir. As I stated, 80 percent of them are granted free Federal lunch programs, so it is very, very little, sir.

Ms. ARMIJO. I think, again, it is difficult to tell. Some of them do live in public housing or with relatives, but this is another factor that I think we are premature in saying whether they do or do not. But I think for the most part they probably would not contribute very much.

Senator STAFFORD. Well, thank you both. The Chair is going to reserve to the subcommittee members the right to submit questions in writing to you both, if that is agreeable, for your response at your early convenience.

Ms. ARMIJO. Thank you very much.

Ms. ZUNIGA. Thank you very much.

Senator STAFFORD. Thank you for your help to the subcommittee.

The final panel this afternoon will be Mr. Arturo McDonald, assistant superintendent of the Brownsville Independent School District, representing Mr. Rual Bestiero; and Mr. Paul W. Bell, associate superintendent, Dade County Public Schools, Miami, Fla.

Gentlemen, if you would take your seats, on behalf of the subcommittee I welcome you here. You have probably already heard me recount the rules on time twice before this, so I will not do it again.

Since we have been following the procedure of having the witnesses in the order in which they have been named, Mr. McDonald, I guess you would be first.

STATEMENT OF ARTURO McDONALD, ASSISTANT SUPERINTENDENT, BROWNSVILLE INDEPENDENT SCHOOL DISTRICT, BROWNSVILLE, TEX., AND PAUL W. BELL, ASSOCIATE SUPERINTENDENT, BUREAU OF EDUCATION, DADE COUNTY PUBLIC SCHOOLS, MIAMI, FLA., A PANEL

Mr. McDONALD. Senator Stafford, I can assure you that my superintendent, if there had not been technical difficulties, and all our school board members would have been very glad to be here today to testify before you on this fantastic need for these funds and in support of the bill.

The Brownsville Independent School District's boundary is the Rio Grande River on the south, and it is approximately 92 square miles of area in which it served 30,559 children in the 1982-83 year. This is more than one-third of the entire population of the city of Brownsville.

The norm, as we all know, around the country of school-age children per population of their cities is between 15 and 18 percent, so we can see here the fantastic difference. Brownsville is facing a tremendous burden by educating more than 33 percent of the population in its community. This is due mainly to the constant flow of children from Mexico.

During the 1982-83 school year, Brownsville received 1,056 children from Mexico. Of these 1,056 children, 461 were illegal aliens. This is a decrease from the 1981-1982 school year when Brownsville received 791 illegal children from Mexico.

Therefore, the number of illegal students from Mexico in the Brownsville School District for the past 2 years is approximately 1,252. If we were to take that number and divide it by 30 children, the Brownsville School District would have need for 42 classrooms at this time to provide for the additional children who come in illegally from Mexico. The cost for construction of a classroom in Brownsville, without any of the support facilities, is approximately \$40,000 per classroom.

During the past 2 years, Brownsville citizens have been burdened with the cost of \$1,680,000 for construction of classrooms to house illegal alien children. This is the cost for construction only. We have never included the cost of specialized teachers, transportation and supplies, which is part of our funding from the State for average daily attendance.

These children from Mexico require special attention. It is a tremendous burden for the school district in Brownsville to find bilin-

gually certified teachers to meet the needs of these children and to look for teachers who are specialized in the field of language learning disabilities which are experienced by many of these children.

The children coming in from Mexico are strictly monolingual and some have never been to school, thus creating a need for individualized attention by the teachers.

The citizens of Brownsville have made an extraordinary effort by passing a bond issue to continue the educational growth of their children. This bond issue was passed in order to improve existing facilities in the district.

This effort by the citizens, although a massive effort, is not sufficient to take care of the needs of a normal, growing school district which is constantly receiving children from Mexico.

The bond issue was with anticipation to serve the needs of the Brownsville District with a normal growth basis over an 8-year period, but the added load of these children will cut into the amount estimated to renovate and upgrade our facilities.

The provisions that are outlined in the Alien Education Assistance Act would relieve the district and the citizens of Brownsville of this immediate need for construction of additional facilities for the illegal alien children who have been allowed to enroll in our school district by a Supreme Court mandate.

The Brownsville Independent School District is one of the top 20 districts in size in the State of Texas, but is in the lower quartile of the State in wealth. The only type of revenue, aside from the State and Federal support that the district receives, is the local tax effort.

The average wealth in Brownsville is below the national average. To maintain quality education for the children of this community, the citizens of Brownsville must pay higher taxes. This is unfair because this burden exists due to the many children coming in from Mexico.

If aid could be obtained on a yearly basis for the influx of these children from Mexico on a per-child basis, the district could maintain the influx it is facing and still continue to give them well-rounded education without diluting the present education that we now have.

At this time, the additional load that we face dilutes what little the Brownsville District has for the children of the citizens of Brownsville. This is causing a tremendous hardship not only for the community, but for the school district itself and the people who work in the district.

Thank you.

[The prepared statement of Mr. Besteiro follows:]

PREPARED STATEMENT OF RUAL A. BESTEIRO, JR., SUPERINTENDENT OF SCHOOLS,
BROWNSVILLE INDEPENDENT SCHOOL DISTRICT

IMPACT OF CHILDREN OF ALIEN PARENTS

ON THE

BROWNSVILLE INDEPENDENT SCHOOL DISTRICT

The Brownsville Independent school District is a Texas district on the Mexican border. This report was prepared by Raul A. Besteiro, Jr., Superintendent of Schools, Brownsville Independent School District, Brownsville, Texas.

The Brownsville Independent School District's boundary is the Rio Grande River on the south, and has approximately 92 square miles of area in which it served 30,559 children in 1982-1983. This is more than one-third of the entire population of the city of Brownsville. The norm around the country of school-age children per population of their cities is between fifteen and eighteen per cent. Brownsville is facing a tremendous burden by educating more than thirty-three per cent of the population in it's community. This is due mainly to the constant flow of children from Mexico.

During the 1982-1983 school year, Brownsville received 1,056 children from Mexico. Of these 1,056 children, 461 were illegal aliens. This is a decrease from the 1981-1982 school year when Brownsville received 791 illegal children from Mexico. Therefore, the number of illegal students from Mexico in the Brownsville School District for the past two years is approximately 1,252. If we were to take that number and divide it by 30 children, the Brownsville School District would have need

for 42 classrooms at this time to provide for the additional children who come in illegally from Mexico. The cost for construction of a classroom in Brownsville, without any of the support facilities, is approximately \$40,000.

During the past two years, Brownsville citizens have been burdened with the cost of \$1,680,000 for construction of classrooms to house illegal alien children. This is the cost for construction only. We have never included the cost for specialized teachers, transportation, and supplies, which is part of our funding from the state for Average Daily Attendance. These children from Mexico require special attention. It is a tremendous burden for the school district in Brownsville to find Bilingually certified teachers to meet the needs of these children, and to look for teachers who are specialized in the field of language learning disabilities which is experienced by many of these children. The students coming in from Mexico are strictly monolingual and some have never been to school, thus creating a need for individualized attention by the teacher.

The citizens of Brownsville have made an extraordinary effort by passing a bond issue to continue the educational growth of their children. This bond issue was passed in order to improve existing facilities in the district. This effort by the citizens, although a massive effort, is not sufficient to take care of the needs of a normal growing school district which is constantly receiving children from Mexico. The bond

issue was with anticipation to serve the needs of the Brownsville district with a normal growth basis over an eight year period, but the added load of these children will cut into the amount estimated to renovate and up-grade our facilities.

The provisions that are outlined in the Alien Education Assistance Act (AEAA) would relieve the district and the citizens of Brownsville of this immediate need for construction of additional facilities for the illegal alien children which have been allowed to enroll in our school district by a Supreme Court mandate.

The Brownsville Independent school District is one of the top twenty district in size in the state of Texas but is in the lower quartile of the state in wealth. The only type of revenue, aside from the state and federal support that the district receives, is the local tax effort. The average wealth in Brownsville is below the national average. To maintain quality education for the children of this community, the citizens of Brownsville must pay higher taxes. This is unfair because this burden exists due to the many children coming in from Mexico.

If aid could be obtained on a yearly basis for the influx of these children from Mexico, on a per child basis, the district could maintain the influx it is facing and still continue to give them well-rounded education without diluting the present education that we now have. At this time, the additional load that we face dilutes what little the Brownsville district has for the children of the citizens of Brownsville. This is causing a tremendous hardship, not only for the community, but for the school district itself and the people who work in the district.

Any assistance that we can receive on this massive problem to the school districts along the border, such as ours, would be very much appreciated.

Senator STAFFORD. Thank you very much, Mr. McDonald.

Mr. Bell, I guess you are next.

Mr. BELL. Thank you. I am Paul W. Bell, associate superintendent, Bureau of Education, Dade County Public Schools. I very much welcome this opportunity to appear before this committee to provide testimony on the proposed Alien Education Act, Senator.

Let me summarize the written testimony, and I will touch on four major points: the nature and the extent of the problem as it exists in our school district, what the Dade County public schools have done about the problem, an analysis of the costs incurred by the district, and the potential benefits of the proposed Alien Education Assistance Act.

Dade County public schools is the fourth largest school district in the United States. We have over 222,000 students currently in grades K through 12. Since the early 1960's, it has been a center for refugee immigration. In the early 1960's, we developed a rather extensive bilingual program to serve these students.

This program has historically, and will continue to cost the district funds far beyond that which is normally allocated for the education of the typical school child.

Right now, within the Dade County public schools, there is approximately 39 percent of the population which is Hispanic. That has grown from an estimated 10 percent in the early 1960's to 32 percent in 1978-79 and almost 40 percent today.

To provide programs for these immigrants, the district has incurred tremendous cost. Let me try to highlight one period of time to try to dramatize the impact that our district has faced.

During the last 3 days of April 1980, we absorbed roughly 100 Cuban-Haitian entering students. Within the next 15- to 20-month period, we absorbed 18,000. Over 95 percent of the school districts in the United States have fewer students than 18,000. Our district absorbed that number of limited-English-proficient students in less than a 2-year period of time.

We continue to absorb more students. Since interdiction, since the flow was theoretically cut off, Dade County has averaged over 3,700 new refugee students a year, primarily from Cuba and from Haiti.

Sometimes overlooked is the residual impact of such a refugee influx. For example, the largest single grade level where limited-English-proficient students are found would be in kindergarten and grade 1 because the below-school-age children of refugees continue to enter the school long after the families arrive.

Also, Dade County is a port for return. Many refugees will leave the community, but come back. So, the ongoing effect multiplies rather than diminishes.

We project a minimum of 20,000 to 24,000 students in need of special help over the next few years. That special help comes in a number of ways. One is through intensive English; intensive English is made up of English speakers of other languages and curriculum content—the content areas taught using second-language teaching techniques.

The student cannot be permitted to fall behind, so he or she also must receive instruction in the native language, both in language

arts and in the content areas, so that that student, when he or she becomes proficient, will not be irrevocably remedial.

This necessitates significant increased costs. Additionally, as has been indicated by previous witnesses, the cost of a classroom is about \$50,000 for a relocatable classroom. The cost of an elementary school is over \$6 million, and we have had the equivalent of a population requiring 15 new elementary schools come into Dade County in the past 4 years.

The counseling needs of these students are significant. The special psychological needs are significant. All in all, the costs are tremendous. During the past 4 years, we estimate that the Dade County public schools have incurred more than \$40 million of additional costs beyond the average student expenditure. We have received approximately \$20 million in Federal support.

The proposed legislation would be of great significance to Dade County. It would recognize the immediate additional costs incurred by a school district, and would recognize the ongoing costs by a school district.

It would recognize clearly the Federal burden for providing funds for the local district. We wholeheartedly support Senator Tower's proposed legislation.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Bell follows:]

PREPARED STATEMENT OF PAUL W. BELL, ASSOCIATE SUPERINTENDENT, BUREAU OF
EDUCATION

I am Paul W. Bell, Associate Superintendent, Bureau of Education, of the Dade County Public Schools. I welcome this opportunity to appear before this committee to provide testimony on the proposed Alien Education Assistance Act.

The Nature and Extent of the Problem

The Dade County Public Schools is the fourth largest school district in the nation, and the second largest employer in the State of Florida. It encompasses over 2,100 square miles and serves twenty-seven municipalities and several unincorporated areas. In order that the Dade County Public Schools may serve its constituency, the school system maintains 175 elementary schools, 46 junior high schools, 24 senior high schools, and 6 special learning centers. To operate these sites requires a staff of approximately 19,700 full-time and 7,500 part-time employees. At the beginning of the 1982-83 school year, the student population served from kindergarten through grade twelve was over 222,000.

For well over twenty years, Dade County has been a major port-of-entry and/or destination for refugees from all parts of the world. This continuous flow, and sometimes flood, of refugees into South Florida has had a far-reaching effect on the nature of Dade County's school population and the kinds of programs which the school system offers. Based on data from the close of the 1982-83 school year, Dade County's multi-cultural/multi-lingual population speaks at least 21 different languages and represents more than 45 points of foreign origin. These points of origin include:

Argentina	Chile	El Salvador	Guyana
Bahamas	China	England	Haiti
Barbados	Colombia	Finland	Honduras
Bolivia	Costa Rica	France	Hong Kong
Brazil	Cuba	French Guiana	Israel
Canada	Dominican Rep.	Greece	Italy
Cayman Islands	Ecuador	Guatemala	Jamaica

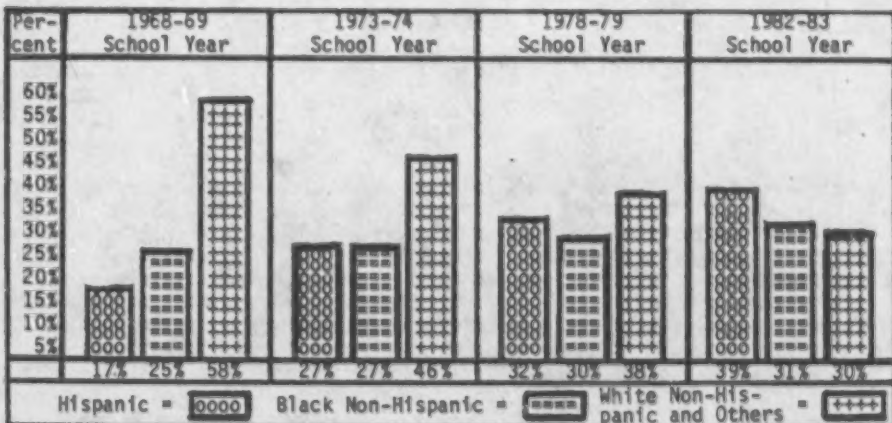
Korea
Mexico
Nicaragua
Pakistan
Panama

Paraguay
Peru
South Africa
Spain
Sweden

Switzerland
Taiwan
Thailand
Venezuela
Vietnam

West Germany
Yugoslavia

The primary contributor to the shift in ethnic composition of the Dade County Public Schools has been Cuba, followed by other nations from South and Central America and the Caribbean. During the 1968-69 school year, 17% of the population of the Dade County Public Schools was of Hispanic origin. Ten years later in 1978-79, this linguistic group had grown to 32%. In 1982-83, the Hispanic population had risen to 39%. Current projections indicate that by 1987, Hispanics will comprise nearly 44% of the total school population in grades K-12. The shift in ethnic distribution from 1968-69 to 1982-83 is summarized below.



In addition to this phenomenal growth in Hispanic population from 18 different Spanish speaking countries, numerous other groups have increased, such as Haitian, Chinese, and Arabic.

The large majority of our students who come from homes where a language other

than English is spoken has been or is being integrated successfully into the linguistic and academic mainstream. At present, however, our limited English proficient school population represents approximately 11% of our total school membership. This high percentage of limited English proficient students, over 24,800, is due in large measure to the massive influx of refugees which began with the "Mariel boatlift", and the continued influx of refugee and other foreign students at a reduced but significant rate. During the five-year period preceding the "entrant" influx, the annual rate of entry from Cuba and Haiti alone averaged + 2,200. The entry rate by year was as follows:

Origin	1974-75	1975-76	1976-77	1977-78	1978-79	1979-80	
						"Pre-Mariel"	"Boat-Lift"
Cuba	3,712	1,865	1,293	1,271	1,591	2,965	7,988
Haiti	117	165	288	291	418	336	107
Totals	3,829	2,030	1,581	1,562	2,009	3,301	8,095
						11,396	

As may be noted from the above summary, in the spring of 1980 the impact of the "boatlift" was felt in full force, and raised the 1979-80 total to 11,396 Cuban and Haitian refugees in a single year.

Using April 21, 1980 as a point of departure, the spring and summer of 1980 and the 1980-81 school year represented a period of major growth for an extended period of time. From April 21, 1980 through January 31, 1982, some 16,626 Cuban and 1,701 Haitian students, or a total of 18,327, had been processed by the Foreign Student Registration Center. As of April 30, 1983, a total of 18,248 Cuban and Haitian students were on the active refugee file.

By the end of 1982-83, a substantial proportion of the "boatlift" students had gained sufficient control of English that, for the 1983-84 school year, they will be incorporated full-time into the academic mainstream program.

However, the continual renewal of limited English proficient students generates a high level of need for special programs and services for such students. This renewal stems from several sources:

- 1) Each year many new refugees enter the Dade County Public Schools directly from a foreign point of origin. For example, in 1982-83 3,753 foreign students were processed by the Foreign Student Registration Center.
- 2) As noted earlier, Dade County is not only a port of entry, but also a destination. Many foreign families who enter the United States at other points tend to gravitate to South Florida, where they have ties with others of the same origin.
- 3) For a wide range of reasons, a significant number of children of refugee families begin their formal education in private schools and transfer into the public school system after one, two, or even three years of non-public school education. Annually, between 4,000 and 6,000 students transfer from private schools to the Dade County Public Schools. Many such students enter the public schools with serious limitations in their control of English.
- 4) Many refugee children who came to the United States in recent years as infants are now reaching school age and are entering the public school system.
- 5) As the ethnic composition in Dade County shifts toward an increasing percentage of Hispanics, there is a parallel tendency to maintain the use of the home language in daily family affairs. Thus, many students entering the public school in kindergarten are properly

classified as limited English proficient, even though their families have lived in Dade County for a number of years.

As a result of factors such as those mentioned above, and considering the fact that the average limited English proficient student requires two to three years to become proficient in English, the cumulative renewal rate of the limited English proficient population tends to maintain the size of this population, despite the exiting of large numbers of such students into the mainstream instructional program each year. Reports of limited English proficient students for 1982-83, compared with projections of such students for 1983-84, reflect only a modest decrease in the size of the limited English proficient population. By grade level, this population is distributed as follows:

Grade	1982-83	1983-84	Grade	1982-83	1983-84	Grade	1982-83	1983-84
K	4,235	3,927	5	1,613	1,597	10	1,293	1,752
1	4,279	3,932	6	1,578	1,414	11	500	719
2	2,723	2,564	7	1,835	1,707	12	210	325
3	1,954	1,871	8	1,408	1,313	Other*	429	0**
4	1,674	1,689	9	1,129	1,076	Total	24,860	23,886

* Includes non-graded exceptional students

** Exceptional students are statistically distributed through the grades

Based on current and cumulative experience, the Dade County Public Schools must be prepared to continue to absorb refugee and other foreign students on a regular basis and to provide appropriate educational support programs and services. To ensure appropriate programs which will meet the refugee students' educational, psychological, and other adjustment needs, and which will provide appropriate classroom space and transportation to and from school for eligible students, an enormous amount of money is required - sums which

are far beyond those required for delivery of regular instructional programs and services. These include funds for special programs such as Intensive English and instruction in and through the home languages while the students are learning English, as well as for the services of bilingual counselors, visiting teachers and psychologists, and other support personnel.

It is important to recognize that the long-range impact of the massive influx of limited English proficient students irrevocably changes the school district in which they are enrolled. There is an on-going need for services that are not required in a district which is, for all practical purposes, mono-lingual. The impact not only affects the provision of classroom space, equipment, materials and supplies, but it also makes new requirements on the district to provide long-range bilingual services, both in direct instruction and support services. It requires the on-going need for the development of informative materials and orientation programs in languages other than English. In short, the cost of providing education for a district impacted with refugee students inevitably is increased, and carries over each year subsequent to the arrival of such students. It is absolutely essential that the federal government recognize its obligation to provide fiscal support to impacted school districts on a continuing basis.

Dade County's Response to the Problem

Special programs and services for limited English proficient students in the Dade County Public Schools are essentially the same regardless of language background, point of origin, or immigration status, inasmuch as all such students are offered the same kinds of special programs and services on an equal basis.

Special instructional programs for refugee and other students classified as

limited English proficient fall into two categories. The first category, Intensive English Instruction, includes those programs in which English is the object and/or medium of instruction. The second category, Basic Skills in the Home Language, includes those programs in which a language other than English is used as the object and/or medium of instruction.

Intensive English Instruction refers to that part of the curriculum which is taught in such a way as to provide special instruction in the development of communication skills in English, utilizing materials and/or methods designed for learning English as a new language. Intensive English Instruction consists of two major dimensions: (1) the program of English for Speakers of Other Languages, and (2) curriculum content in English utilizing second language teaching techniques.

In the same way that Intensive English Instruction refers to two aspects of the students' program in which English is used as the medium of instruction, Basic Skills in the Home Language refers to two aspects of the students' program in which the home language is used as a medium of instruction. Basic Skills in the Home Language refers to Home Language Arts, such as Spanish for Spanish Speakers or Haitian Creole Language Arts, and to Bilingual Curriculum Content, such as in the areas of Social Studies and/or Science and/or Mathematics. These two dimensions of Basic Skills in the Home Language constitute the home language components of Dade County's transitional bilingual basic skills program. For 92% of the limited English proficient students, Home Language Arts is synonymous with Spanish for Spanish Speakers, and for 6.5% it is synonymous with Haitian Creole Language Arts. The remaining such instruction is in diverse languages, which vary from year to year. Following are summaries of program offerings at the elementary and secondary levels:

Elementary Programs for Students of Limited English Proficiency

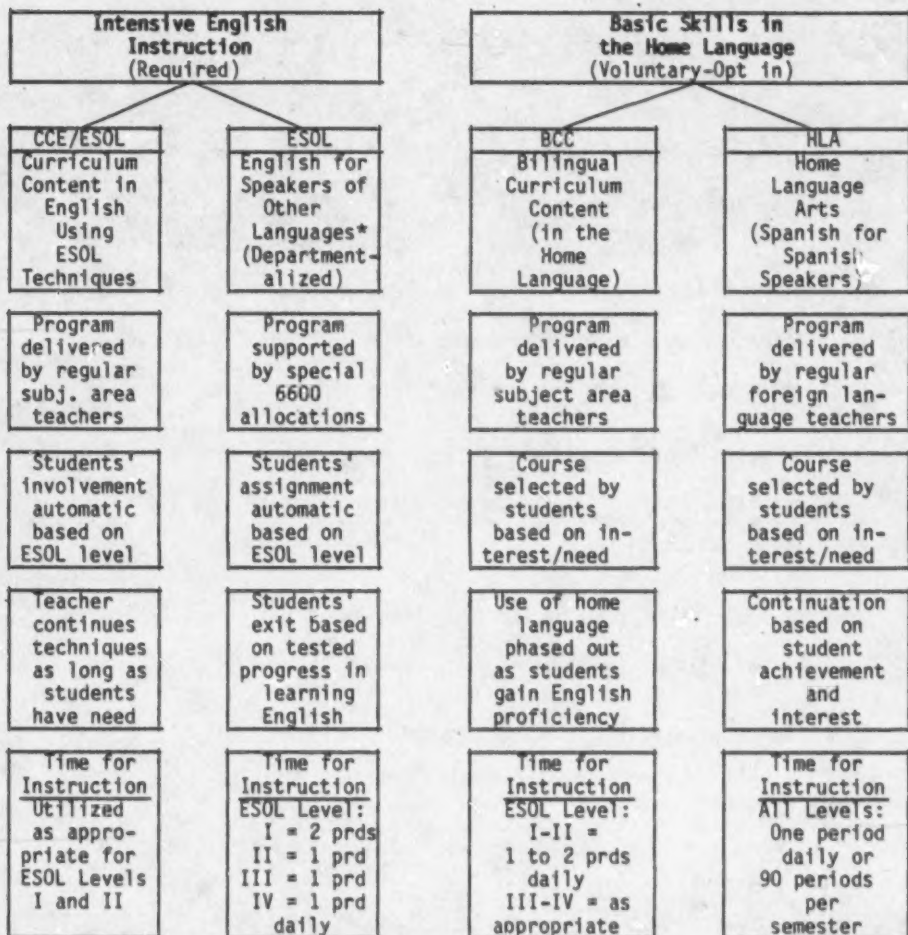
Intensive English Instruction (Required)				Basic Skills in the Home Language (Voluntary-Opt Out)	
CCE/ESOL	ESOL			BCC	HLA
Curriculum Content in English Using ESOL Techniques	English for Speakers of Other Languages (Provided in one of three ways)			Bilingual Curriculum Content (in the Home Language)	Home Language Arts, such as Spanish-S, Haitian- Creole
	"Pull-Out"	Partially from	Partially Self- Contained		
	Regular Classrooms	Type A*	Type B**		
Program delivered by regular classroom teachers	Program delivered by special 6600 allocations	Program supported by special 6600 allocations*	Program delivered by regular classroom teachers**	Program delivered by special 6630*** allocations	Program delivered by special 6630*** allocations
Students' involvement automatic based on ESOL level	Students' assignment automatic based on ESOL level	Students' assignment automatic based on ESOL level	Students' assignment automatic based on ESOL level	Students' assignment automatic based on ESOL level	Students' assignment automatic based on ESOL level
Teacher continues techniques as long as students demonstrate need	Students' exit based on tested progress in learning English language	Students' exit based on tested progress in learning English language	Students' exit based on tested progress in learning English language	Students' exit based on progress in subjects in English, or parental request	Students' exit based on skill development in English, or parental request
Time for Instruction Utilized as appropriate for ESOL Levels I and II	Time for Instruction ESOL Level: I = 2 hrs.: II = 1 hr.: III = 1 hr.: IV = 1 hr.: daily	Time for Instruction ESOL Level: I = 2 hrs.: II = 1 hr.: III = 1 hr.: IV = 1 hr.: daily	Time for Instruction ESOL Level: I = 2 hrs.: II = 1 hr.: III = 1 hr.: IV = 1 hr.: daily	Time for Instruction ESOL Level: I = 60 min II = 45 min daily III-IV = as appropriate	Time for Instruction All Levels: 30 minutes daily or 150 minutes weekly as minimum

* Type A The responsibility for ESOL instruction is shared by the classroom teacher and a special ESOL teacher allocated under Program 6600. Variations of Type A may occur in "Chapter One" classrooms.

** Type B The teacher-pupil ratio is reduced by dividing five classes into six and allocating an additional classroom teacher under Program 6601. Variations of Type B may occur in "Chapter One" classrooms.

*** Within available resources.

Secondary Programs for Students of Limited English Proficiency



* Several ESOL semester courses are interdisciplinary in nature so that it is possible for limited English proficient students in ESOL classes to receive credit in social studies, for example, if they also meet the objectives of the corresponding social studies semester course during the second period of ESOL instruction, under agreement with the social studies teacher. (Reference: Curriculum Bulletin I, page LA-iii.) ESOL semester courses are identified by code numbers of the 5118 (grades 10-12) and 5117 (grades 7-9) series.

Students who exit the ESOL program mid-year are assigned to the transitional English course within the regular English Language Arts program.

The special programs summarized above represent but one of five major cost categories related to refugee and other foreign students in the Dade County Public Schools, which are in addition to normal operating expenses for students served by the school system. These five excess cost categories are:

- 1) Direct supplementary instruction as described above, which includes special teachers at the school level (which number 344 for the 1983-84 school year), bilingual program specialists at each of the four administrative areas to support the special teachers, and a supervisor and director at the county level to administer and monitor the programs
- 2) Instructional support, which includes bilingual counselors and visiting teachers at the school level, and psychologists at the area level
- 3) Relocatable classrooms for students who cannot be housed in the existing facilities
- 4) Transportation from neighborhood schools to special centers when educational need requires such attention
- 5) Custodial, maintenance, and operational support, including utilities.

These costs inherent in providing special programs and services to refugee and other foreign students have exacted a heavy toll on the resources of the Dade County Public Schools. A summary of such costs since 1980-81 is provided below.

Update of Refugee Program Cost Projections

Cost Category	1980-81	1981-82	1982-83	1983-84
1) Direct Supplementary Instruction	\$3,328,250	\$5,183,140	\$4,181,436	\$4,867,620
2) Instructional Support	313,717	813,338	973,453	1,133,567
3) Relocatable Classrooms	5,489,805	3,200,000	3,200,000	3,200,000
4) Transportation	750,000	175,000	352,210	529,419
5) Maintenance Operations	772,154	1,079,975	1,186,668	1,293,360
Annual Estimates	\$10,653,926	\$10,451,453	\$9,893,767	\$11,023,966
Four-Year Total				\$42,023,112

To be sure, the entire refugee program costs summarized above were not borne by the Dade County Public Schools alone. A more accurate appraisal of the fiscal weight of the refugee impact may be derived by comparing the costs and the support provided through federal resources.

Costs Versus Revenue	1980-81	1981-82	1982-83	1983-84
Cost Projections	\$10,653,926	\$10,451,453	\$ 9,893,767	\$11,023,966
Federal Support	4,978,433	6,136,701	5,702,400	4,800,000
Unreimbursed	\$ 5,675,493	\$ 4,314,752	\$ 4,191,367	\$ 6,223,966
Total Reimbursed				\$21,617,534
Total Unreimbursed				\$20,405,578

The figures speak for themselves, and the "bottom line", so to speak, is that the Dade County Public Schools has been left with an accumulated burden of over twenty million dollars, nearly half of the cost of special programs and services required by refugee students who have been allowed to enter the United States and who have remained in or gravitated to Dade County.

The Proposed Alien Education Assistance Act

The proposed Alien Education Assistance Act represents a major step forward in consideration at the national level of federal responsibility for assisting local school districts which have been severely impacted by refugees.

First and foremost, it addresses educational services directly, as opposed to subsuming such problems under consolidated funding. It has been the experience of educators that when funds for education are funneled through another agency, the result is no funds for education. The needs of public schools simply are not strongly considered in the priorities of the other service agencies.

Secondly, the proposed Act recognizes that the impact of large numbers of refugees has long range implications and extends far beyond the year of entry. As noted earlier, the average limited English proficient student requires from two to three years to become sufficiently competent in English to compete successfully in the academic mainstream. Based on the current experience in the Dade County Public Schools, there is evidence that a substantial number of the Cuban and Haitian "boatlift" (entrant) students may require a longer period of special instruction than that of previously established norms. Further, Dade County's consistent and long-term experience indicates that supplementary support services such as those provided by bilingual counselors, visiting teachers, and psychologists are often critical up to five years.

Thirdly, the proposed Act recognizes that the impact of large numbers of refugees has implications beyond direct instruction in English. It recognizes that need encompasses a broad spectrum, including classroom space, and provides the local school district latitude to address both instructional and noninstructional aspects of refugee impact on a school system.

And fourthly, the proposed Act recognizes the substantial nature of supplementary cost associated with providing educational services for refugee children, and it provides for funding at a level which more closely approximates required expenditures.

The Dade County Public Schools is deeply appreciative of the support provided at the national level to help it meet the serious crises it has had to face and continues to face with respect to educational services for refugee children. It would be difficult to imagine how the school system could have responded to these crises without such support. At the same time, the Dade County Public Schools is equally appreciative, and now more hopeful, that the extent of the national obligation is being addressed in more realistic terms. Dade County is strongly supportive of the proposed Alien Education Assistance Act, and is pleased with the opportunity to offer testimony on its behalf.

Senator STAFFORD. Thank you, Mr. Bell.

Mr. McDonald, how high is the rate of exit of your alien enrollment? Do you, for example, find that by later grades, many of the alien children have left? At what grade do you enroll the most alien children?

Mr. McDONALD. In our district it varies, Senator. Most of them are younger, in the elementary levels, basically because in the secondary level they are more independent and there are other programs in which they have an opportunity to learn how to speak English rather than to get a content area type of education, since most of these secondary education students normally have a very strong, basic education in the area of reading, writing, and arithmetic in their own language. So, most of our problems are in the elementary level. We do have quite a few in secondary, also.

Senator STAFFORD. How long do they stay with you? Do you find that those who come in at the elementary level are leaving before they leave high school?

Mr. McDONALD. In many cases, we are kind of a stepping stone for many of them. It is kind of interesting. I was listening to some of the differences between what we call illegal aliens and what we call just ordinary citizens.

Based on what happens now along the border—and I am sure that Brownsville does not have a priority on this type of problem, Laredo and all the way to San Diego. Based on the way things work along our border, and the relationship between our two countries and especially between our cities, many of the Mexican citizens are allowed to come into our hospitals to have their children, and consequently become American citizens, and they go back.

You might be interested to know that I personally conducted a research activity on just kindergarten children in Matamoras,

which is the city across from us, 2 years ago. In their kindergarten—naturally, about the only ones who go to it are elitists, the more affluent people. Consequently, they only have about 7,000 in kindergarten.

Well, I found that over 4,000 of those are American citizens, and it worried us to death to know that if all of them decided to come across and become residents, we would really have problems and you all would really have to help us. [Laughter.]

Senator STAFFORD. Mr. Bell, let me turn to you for just a minute. You mentioned in your testimony that a significant number of children begin their formal education in private schools and then transfer to the public school systems like Dade County after a couple of years.

First, how do refugees afford private schools? Second, should a Federal response to the education of aliens involve assistance to public as well as private schools?

Mr. BELL. Well, how the refugee affords the private school—I would assume much of the cost is borne by the religious organization sponsoring the private school. I am sure one of the previous witnesses could provide additional information on that issue.

Senator STAFFORD. Father O'Neill, in other words.

Mr. BELL. Yes.

The second part of your question—excuse me, Senator. Would you remind me of the second part of your question?

Senator STAFFORD. The second part of the question was should a Federal response to the education of aliens involve assistance to public as well as private schools?

Mr. BELL. Well, I am very much concerned with Federal assistance to public education. We make free public education available to every child of school age in Dade County. Dade County for more than 20 years has never turned a child away because of the child's place of origin or lack of language ability, or for any other reason.

Every child can enter the Dade County public schools, and we are most concerned with the Federal support for the public education of these children.

Senator STAFFORD. Thank you. One question for you both: what effort has your State educational agency of Texas or Florida, as appropriate, made to relieve some of the burden your school districts carry in educating alien children?

Mr. BELL. The legislature and State Government in Florida has included in this year's adopted budget appropriations of approximately \$1.4 million which is earmarked as Cuban refugee hold harmless for the Dade County public schools. Those funds will disappear after this year.

There is a limited amount of money from the State to support intensive English and to support a pilot program in elementary Spanish. I might point out, Senator, something that very often goes unnoticed. In a community that is rapidly becoming 40 to 50 percent non-English-speaking or bilingual, there is an increasing demand on the school district to provide services to the English-speaking student to become bilingual.

The economic survival of Dade County public school children in the future will largely rest on their ability to function in two languages. We tend to think of the problems created for a district by

limited-English-proficient students coming in being only problems for those students. But it presents a new problem or challenge for the native-born, North American, English-speaking student because in Dade County bilingualism is an asset.

Senator STAFFORD. Mr. McDonald.

Mr. McDONALD. In the State of Texas, the effort is pretty much equal as far as the participating student in the classroom. Our problem is housing, where the State does not provide any funding whatsoever for housing purposes. Consequently, our utilizing our own local tax base to solve this housing problem takes away from the actual contribution that we could make in the areas of reading, writing, and arithmetic for the general population.

Senator STAFFORD. Well, thank you both very much. It has been very helpful to this committee in understanding the Tower legislation, and we have a new insight into the problems that you have along that border.

Thank you very much. We appreciate your testimony very much indeed.

Mr. BELL. Thank you.

Mr. McDONALD. Senator Stafford, may I take this opportunity to extend a personal invitation to our area? It might bring in something that we missed.

Senator STAFFORD. I would say, Mr. McDonald, if we could only find the time, I would love to do it. Time is the one thing we do not have enough of here.

Mr. McDONALD. Thank you, sir.

Senator STAFFORD. At this point I order printed all statement of those who could not attend and other pertinent material submitted for the record.

[The material referred to follows:]

SENATE MEMBERS:

WILLIAM A. CRAVEN
BILL LOCKYER
KEN MADDY
DAVID ROBERT

ASSEMBLY MEMBERS:

DOUG ALLEN
DOMING CORTES
BILL JONES
LUCKY KILBA

JO FREDRICK
PRINCIPAL CONSULTANT

VU-DUC VUONG
SENIOR CONSULTANT

ELMIRA CANALONE-NEIGH
COMMITTEE SECRETARY

ROOM 8008
STATE CAPITOL
SACRAMENTO, CA 95814
(916) 448-8881

California Legislature

JOINT COMMITTEE ON REFUGEE RESETTLEMENT AND IMMIGRATION

PAUL B. CARPENTER
CHAIRMAN

ART AGNOS
VICE CHAIRMAN

July 27, 1983

The Honorable Robert T. Stafford, Chairman
Sub-Committee on Education
Labor and Human Resources Committee
United States Senate
Washington, D.C. 20510

Dear Senator Stafford:

Enclosed is my written testimony in support of Senate Bill 1630,
the "Alien Education Assistance Act", currently under consideration in
your committee.

I would appreciate your consideration on this issue.

Sincerely,

Paul Carpenter
PAUL B. CARPENTER

PBC/ecn

Encl.

STATEMENT BY SENATOR PAUL B. CARPENTER
CALIFORNIA LEGISLATURE
27 July 1983
on
S. 1630-"ALIEN EDUCATION ASSISTANCE ACT"

I am Paul Carpenter, State Senator from the 37th District of California and Chairman of the Joint Committee on Refugee Resettlement and Immigration (JCRRI) of the California Legislature. I am also the former Chairman and current member of the Senate Committee on Education. I wish to present this testimony in conjunction with your consideration of Senate Bill 1630, the Alien Education Assistance Act.

The JCRRI is a bicameral, bipartisan committee established by the California Legislature earlier this year to oversee and make recommendations on all issues relating to the refugees and immigrants in California. To attain this goal, our Joint Committee has held six public hearings in counties heavily impacted by the refugee and immigrant population around the state to assess both the positive and negative impacts of the influx of newcomers in California. At these hearings, we have heard over and over again the impacts on education, health, public safety, employment, public assistance, housing, etc. as well as on social and cultural interactions.

This testimony reflects, to a substantial extent, the information we gathered from these hearings and the State of California's collective experience in assisting the newcomers to our country.

I particularly appreciate the opportunity to submit this written testimony on behalf of California both because California is perhaps the state with the highest number of aliens and because education has been repeatedly raised as an area of great concern to our state's

Statement by Senator Paul B. Carpenter
27 July 1983
Page 2.

officials at all levels.

I also would like to commend Senator Tower for introducing and all others who support SB 1630. This bill addresses, in a timely and accurate fashion, the very serious impact on our educational system.

While recognizing that Immigration and Refugee policies are under the exclusive jurisdiction of the federal government and that a humane admission of immigrants is a cornerstone of our foreign policy, we should point out that it is the various states that absorb and provide for these immigrants once they are admitted into the United States. Furthermore, due to climatic conditions, geographical proximity, and established local support groups, some states receive a far greater share of immigrants and refugees than others. California, in particular, with only about ten percent of the country's population, currently provides for nearly half of all refugees and perhaps as many as thirty percent of all immigrants. More specifically, in terms of student proficiency in English, the latest statistics from our State Department of Education show that of the total number of students from K-12 grade in California, almost one fourth is classified as "language-minority" students, or 917,855 out of the total 4,065,000 students. While the data do not directly illustrate the alien status of our students, we can reasonably surmise that, because the great majority of alien students come from non-English speaking countries, a substantial portion of the 917,855 "language-minority" students would be aliens.

Statement by Senator Paul B. Carpenter
27 July 1983
Page 3.

Even as we take pride in this overwhelming predilection for our state's natural and human attributes, we are repeatedly reminded, in no uncertain terms, that the education of non-English speaking school children is a complicated, time-consuming, and especially costly endeavor, well beyond the already thinly spreaded resources of the State.

Administrators and educators in California agree that the language barrier is only but the most visible challenge; therefore it is a dangerous fallacy to believe that by merely translating current school materials into different languages or by hiring bilingual instructors, we can solve this educational problem. Rather, the consensus is that the effective education of alien children require, at minimum, profound adjustments in the socio-cultural atmosphere in schools, in the instructional currucula and materials, and equally important, in the fiscal assistance to impacted school districts.

Adjustments in the Socio-Cultural Atmosphere

Through trials and experience - often difficult and occasionally tragic - educators have realized that considerable time and effort are required to establish an environment conducive to effective teaching and learning, not only for the foreign-born students but also for the native-born ones, as well as teachers and parents.

Alien children, and their parents as well, need to know the school structure, requirements, teaching styles, school behavior, access to public agencies, and the general social structure. Conversely, American born students and their parents need to become familiar with,

Statement by Senator Paul B. Carpenter
27 July 1983
Page 4.

and sensitized to, the somewhat different behaviors, values, food, clothes, etc. of their foreign-born counterparts. This two-way orientation process is indispensable to the harmonious development and effective learning of all school children.

A recent and tragic incident in a community just outside Sacramento, our state capital, illustrates the importance of this mutual understanding atmosphere. A Vietnamese high school student was stabbed to death by an American student in the course of a school-ground scuffle. This animosity apparently was caused by the lack of basic understanding about each others' behavior.

Some American students perceived that their Vietnamese school mates were clannish, withdrawn and disdainful of challenges made by the American youths. For their part, the five Vietnamese students in that high school chose not to respond to such challenges in the hope that they would be left alone. They did spend their free time together, not necessarily out of choice, but rather due to their common experience and particularly their still uncertain command of English and their unfamiliarity with American school's environment. In effect, their timidity and their effort to avoid confrontation were perceived as disdainful and superior attitudes.

Such tragic incidents and a host of lesser frictions have alerted school and police officials, legislators, as well as the private sector to the gravity of the problems of misunderstanding.

I am pleased to inform you that there are currently several efforts in California, initiated by the private sector, to facilitate mutual

Statement by Senator Paul B. Carpenter
27 July 1983
Page 5.

understanding in our schools. One such notable effort is the joint project in San Francisco between a private foundation and the local refugee community. This project will offer speakers, teaching materials, and suggested curricula that can help existing school systems improve their socio-cultural environments. This laudable project illustrates the concern and initiative of the private sector and the refugee community; yet to be of maximum effectiveness, our public schools need some funding to use and implement these materials.

Adjustments in Curriculum and Instructional Materials

Foreign-born children come to our schools at all ages, levels, and throughout the school year. While the adjustment problem is minimal at kindergarten up to third grade level or so, older school children usually need far more assistance in order to adapt successfully to our educational system.

Unlike native-born students who transfer to California from another state in the Union, foreign-born students often cannot be mechanically placed into certain grade levels simply on the basis of their age. Many school systems abroad do not correspond to our system. Moreover, there may be gaps in their previous schooling, at times even a total lack of any formal schooling. Thus, on the one hand we need to develop more accurate assessment tools to ascertain the correct level of proficiency while on the other hand, we must allow some flexibility in the curriculum and class assignment so that the newcomer students can continue at their true level.

Statement by Senator Paul B. Carpenter
27 July 1983
Page 6.

Concurrently, we need to develop a core of multi-lingual, multi-cultural professionals who can bridge the gap between different systems and at the same time teach an effective American curriculum. Our Joint Committee has heard time and again from virtually all school districts about the need for this professional development.

Lastly, instructional materials need to be constantly revised, translated, and at times re-written in order to achieve the goal of teaching a good American curriculum without sacrificing the contributions by, or the development of, the newcomer students.

Assistance to Impacted School Districts

Good education is not inexpensive. Good education for aliens is even more costly. Yet there is really no choice but to provide good education to all because, high as it may be, the cost of good education is really a bargain when compared to the far more staggering costs to our society in the near future if we fail to educate our children today.

The Department of Education estimates that the State of California spend \$2,362 per child per year on basic education. Alien students, as described above, require an even higher spending level, at least during the first few years after their arrival, in order to adapt successfully to our school system. California is willing to meet this challenge. We see good education both as a basic right of all children and an investment in our nation's own future. The prosperity, security and quality of life in the United States in the 21st century

Statement by Senator Paul B. Carpenter
27 July 1983
Page 7.

depend heavily on the quality of education that we provide to our children today.

However, I should also remind you that, like every other state, our budget is not unlimited. When additional or unanticipated costs occur, such as the heavy influx of foreign-born students, hard choices must be made, often to the detriment of other basic essential educational programs. And when a state is forced to take such measures, not only the overall quality of education is diminished but also friction with, and resentment against, the innocent newcomer students increase. I need not elaborate the potential for misguided perceptions and unfortunate incidents.

Furthermore, as the education of alien children results directly from the federal Immigration policy and will directly influence the prosperity and security of our whole nation, it is therefore only reasonable and fair that the federal government share some of these additional cost of education.

The Alien Education Assistance Act is a step in the right direction to recognize both the state's limited resources and the responsibility of the federal government. I urge you to approve it.

Senator STAFFORD. The subcommittee stands adjourned.
[Whereupon, at 3:13 p.m., the subcommittee was adjourned.]

